

*The Los Angeles County*

# **Sheriff's Department**

## **22nd Semiannual Report**

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# **Twenty-Second Semiannual Report**

## *Introduction*

In recent months, the Los Angeles County Sheriff's Department (LASD) has experienced unusually urgent and conflicting pressures arising from its jail operations.

- The LASD is releasing inmates before their sentences have run, allowing some of these early releasees to commit serious crimes when they should have been behind bars. Curtailing early releases altogether would produce an additional 10,000 or more inmates. The Sheriff currently has no room to accommodate them.
- The ACLU and the federal court are challenging the Department about jail overcrowding and idleness, particularly at Men's Central Jail (MCJ), where six are housed in cells intended for four and four are housed in cells intended for two persons.
- During July, there were inmate riots and disturbances at the Pitchess Detention Center and MCJ, underscoring again the chronic problems of gangs and racial and ethnic tensions, raising the appropriateness of isolating inmates by race, ethnicity, or gang membership, and highlighting a shortage of maximum-security cells for the shot callers and other violence prone inmates.
- The Board of Supervisors and others have pushed hard on the LASD to correct its housing of dangerous inmates with more vulnerable ones and, on occasion, failing to protect inmates from death and injury at the hands of others.

Solving one problem worsens another: Curtailing early releases exacerbates overcrowding and idleness; overcrowding and idleness create unhappiness and provoke tension; unhappiness and tension provoke disturbances and riots; and the presence of high risk inmates in dorms and cells alongside the

more peaceful and vulnerable ones erodes safety and security, provokes inmate-on-inmate and inmate-on-staff violence, and leads to further disturbances. Recently, the Board approved a plan to add an additional 2,000 beds, build additional facilities for women, and free up more maximum security cells by moving some 1,200 state prisoners and parole violators out of the LA County jails. These are useful initial steps on a long road to making the jails safer and more secure.

And if the jail problems were not enough, the Sheriff has had to respond in recent months to a galloping rate of homicides in the troubled city of Compton and shortages of staff on patrol and in the jails.<sup>1</sup>

This **Twenty-Second Semiannual Report** of Special Counsel to the Board of Supervisors, the Sheriff, and the public discusses how the Sheriff's Department is responding to some of these intense pressures. As regards the jails, although the Department is mightily beleaguered, there are hopeful signs that the LASD might emerge in a stronger position, as Chapters One and Two of this Report describe.

Chapters One and Two focus on two critical, interrelated functions of any jail system—classifying and making housing assignments for its inmates. Because classification and housing directly influence jail security, deficiencies in either always compromise safety and security for inmates and staff alike. The LASD has been working hard to improve these systems and is making progress.

An inmate classification system assesses the risk of violence posed by each inmate and assigns housing accordingly. Until this year, the Department did not make adequate use of its computerized classification system, and instead assigned housing based mainly on space availability, an incomplete, rough

<sup>1</sup> As we go to press, the Mel Gibson case dominates the news. The Office of Independent Review (OIR), as it should be, is heavily involved in the investigation. Until the dust has settled and the facts are established, we decline to comment publicly. If it is found that LASD engaged in misconduct or favoritism, our role as Special Counsel will be to determine whether the incident reflects systemic failures of practice or policy or a need for additional safeguards. OIR and Special Counsel play different roles and work independently from each other.

assessment of which inmates needed to be kept away from others, and concerns about racial and ethnic balancing. An inmate homicide in November 2005 and the major inmate disturbances in February 2006 highlighted the problems in the LASD's classification and housing systems and served as the impetus for long-overdue changes.

The Department has since begun to maintain distinct housing units for separate security levels and has created a centralized authority to take responsibility for all inmate classification and housing decisions. There remains much room for progress in this new Central Housing Unit (CHU).<sup>2</sup> Consistent with our prior recommendations, we support the Department's decision to centralize classification and housing.

The large dark cloud on the horizon is the County's outdated computer network known as AJIS. It does not adequately interface with the jail's classification system, thereby crippling CHU's ability to have all necessary data at hand when it selects a housing location for an inmate. The only solution is to replace AJIS. This is not a simple proposal, as AJIS has grown to be a massive system, and the LASD is not the only County agency that taps into it. As difficult and expensive as it may be to replace AJIS, the aging system will not last forever. The County should accept this inevitability and push for its immediate replacement. Until then, CHU will not be able to coordinate security housing designations and housing assignments both within and among all Los Angeles County jail facilities as envisioned.

Though effective classification and housing systems will undoubtedly make the jails a safer, more secure place, one should suffer no illusions that these improvements will end jail violence. The Los Angeles County jail system is the largest in the nation, and it is nightmarish to manage. As noted earlier,

<sup>2</sup> This unit also is referred to as the "Classification and Housing Unit." Though its function includes both classification and housing, the primary emphasis, for now, is on the centralization of housing assignments and the unit decided its name should highlight this. We anticipate the official name eventually will be the "Classification and Housing Unit," but it will continue to be identified by its established acronym, CHU.

the Sheriff and his command staff must respond to equally urgent yet conflicting demands for improvement of the jails.

The LASD cannot do everything at the same time. This Report does not evaluate the LASD's efforts to reduce overcrowding, improve basic conditions, or curtail early releases. Nor does it focus on the ultimate long-term solution to these problems, which is to build a series of small, modern jails in which inmates can be secured in cells rather than dorms, and to phase out the use of Men's Central Jail while reserving the dorms at the Pitchess Detention Center to house low security inmates. So long as the jails continue to confine dangerous inmates in overcrowded cells and dorms with little to occupy their time, inmates will fight and occasionally riot, and jail managers will continually struggle to control this violence.

Chapter Three of this Report analyzes current use of force trends through the lens of CARS data, which paint a mixed picture. On one hand, in 2005, a smaller percentage of all arrests involved force than in previous years. On the other hand, whereas in 2000 less than half of all force incidents involved significant force, that number has been consistently above 50 percent since then. In 2005, the percentage of force incidents involving significant force reached 57 percent, the highest proportion since we began reporting on these issues in 1998 and 1999. Also climbing is the frequency with which LASD uses of force cause visible and verifiable injuries.

We are not saying that the LASD has become brutal or less restrained with regard to use of force. In fact, the whole number force incidents resulting in hospitalization or death has fallen from a high of 19 in 2000 to 11 last year. We are, however, calling attention to significant force issues that, if left alone, may have costly consequences to the County in terms of litigation exposure and to the LASD in terms of reputation and public image.

We are pleased to report a welcome drop in accidental discharges from a high of 26 in 1996 to only two in 2005. It is also good to report that for the

first time since 2000, the total number of volitional hit and non-hit shooting incidents dropped from 57 in 2004 to 49 in 2005. Of these, hit shootings dropped from 37 in 2004 to 28 in 2005. It is nonetheless the case that the numbers for 2005 in both categories are higher than in any year since 2000 with the exception of 2004.

Despite the best efforts of LASD personnel, getting reliable data for this Chapter has been an exercise in hair-pulling frustration. Through a simple audit, we found that LASD use of force data have consistently been at odds with the Department's official arrest data. The most obvious case occurred in 2005, where double counting added 6,000 arrests and an undetermined number of erroneous use of force incidents to the CARS database. Department staff were quick to point out that CARS data is generally unreliable, and that the system is prone to data entry errors. Knowledge of these inconsistencies and anomalies is widespread in the LASD, making it even more striking that nothing has been done about it, especially since these numbers form the basis for management of the risk of excessive force.

Attentive readers of these Reports will note the absence in this Report of our regularly-published tables showing summaries of LASD litigation activity and incurred liability. The Department previously compiled this data on a quarterly basis, providing us ready access to these figures. Because the LASD's Risk Management Bureau recently changed its practice and is only assembling these statistics at the end of each fiscal year, rather than each quarter, we can publish these litigation summaries once annually.





## *Introduction*

Classification of inmates is inextricably linked to jail security and is therefore essential to the maintenance of safe, well-managed jails. An objective, efficient classification system provides structure and discipline to inmate housing decisions, minimizes inconsistent and discretionary decision making, lowers the risk of violence and rioting, reduces the risk of litigation, and enhances the public's perception of jail management. Conversely, failure to employ a rational and effective classification system compromises jail security, placing staff and inmates alike at heightened risk. A good classification system has at least six specific benefits:

A good classification system utilizing individual risk factors to predict how a given inmate will behave in custody can minimize the risk of inmate-on-inmate violence, attacks on staff, escapes, rioting, and other types of misconduct.

Good classification systems promote public safety by allowing jailers to quickly and reliably identify those inmates with the highest recidivism risk factors. A well-implemented classification system can be particularly valuable for the LASD, considering the Department's controversial early release program, by making it easier to identify and keep the most dangerous inmates in custody for longer periods of time.

When implemented along with a rational housing plan that assigns an inmate's specific location according to security risk and regulates access to programs and other in-custody benefits (television, vending machines, etc.) based on behavior, a valid classification system is an excellent inmate behavior modification tool. When inmates learn that good behavior earns them a more

comfortable stay in jail and misconduct sends them to a more restrictive setting, many inmates will improve their behavior in order to reap benefits and avoid additional restraints.

A good classification system is an antidote for over- or under-managing inmates. Under-management connotes inattention to significant risk factors and hence the underemployment of adequate surveillance and security controls. Over-management means assigning a high security level to a low-risk inmate and subjecting him to excessive and costly security requirements, a particular problem in Los Angeles, where high security cells are scarce.

Classification systems also are useful in projecting a jail system's future resource needs for staffing, bed space, and inmate programming. Understanding all of the risk factors associated with the current inmate population will aid in planning future jail expansion.

A well-designed and objective classification system creates a fair and equitable environment in which inmates have access to the types of programs and housing best suited to their individual circumstances. As such, an appropriately validated system will withstand legal challenges from inmates claiming to be inappropriately classified and avoid the tragic consequences of breakdowns in inmate classification we have seen in the jails in recent years, as well as the liability for them.<sup>1</sup>

Objective classification systems employing valid and reliable criteria to assess an inmate's custody level have been widely adopted in correctional facilities throughout the United States and Western Europe. Use of these systems is particularly important in the Los Angeles County jails, where controlling and managing inmate populations is made more difficult by overcrowding, understaffing, and outdated physical structures.

<sup>1</sup> For a more extensive discussion of the merits and hallmarks of effective classification systems, see: Austin, James and Patricia L. Hardyman, *Objective Prison Classification: A Guide for Correctional Agencies*, July 2004, U.S. Department of Justice, National Institute of Corrections; and Brennan, Tim, David Wells, and Jack Alexander, *Enhancing Prison Classification Systems: The Emerging Role of Management Information Systems*, July 2004, U.S. Department of Justice, National Institute of Corrections.

While the LASD's current classification system has been in use since 2002, the Department only began to utilize it to manage the inmate population this year, as discussed more fully in Chapter Two. The November 2005 death of inmate Chadwick Cochran at Men's Central Jail, along with the disturbances which began at the Pitchess Detention Center jails in February 2006, highlighted weaknesses in the LASD's system for classifying and housing inmates and served as the impetus for long-overdue changes.

While the Department has not changed the way it classifies inmates, it is placing unprecedented emphasis on inmates' security levels when making housing and other management decisions. The Department also has created a Central Housing Unit (CHU) whose task eventually will be to assume all decision making authority regarding inmates' classification and housing assignments. CHU will be in the best position to make the necessary reforms to the jail's classification system. It is too soon to judge the effectiveness of this recently-created unit. This report will describe its progress and offer recommendations to maximize its future impact.

## *I. Jail Inmate Classification System*

Within hours of a male inmate's arrival at the Inmate Reception Center (IRC),<sup>2</sup> he sits in a booth and answers questions posed by a custody assistant sitting on the opposite side of a plexiglass window. At the end of a five to ten minute interview, the custody assistant assigns a security level based on the inmate's responses to a series of questions and the custody assistant's review of available databases providing the inmate's arrest, conviction, and incarceration history. On a typically busy night, an IRC custody assistant will classify 80 to 100 inmates.

<sup>2</sup> Since the LASD moved female inmates to the Century Regional Detention Facility (CRDF) in March 2006, only male inmates are processed at IRC. Female inmates go through a similar classification process at CRDF.

The LASD determines an inmate's security level classification through a computer-based decision tree known as the "Jail Inmate Classification System," or "JICS," first implemented in 2002. The system is sometimes also referred to as the "Northpointe" system because it was developed by the Northpointe Institute of Public Management, Inc. JICS has nine separate security level designations ranging from High Maximum (nine) to Very Low Minimum (one). Security level is based in large part on the nature of the inmate's current offense, with such other factors as prior convictions, history of escape, prior serious institutional misconduct, and the presence or absence of detainers or warrants also driving security level classification up or down.

For example, an inmate who is in custody on charges of an assaultive felony will have an initial classification score no lower than seven, but if that inmate has a prior assaultive felony conviction, a history of serious institutional behavior problems, or has ever attempted to escape from a secure facility, his security level will rise to eight or nine. By contrast, an inmate charged with a crime that is not an assaultive felony, who has no prior felony convictions, and no history of escape or other institutional behavior problems, will be classified no higher than security level six. If that inmate has an outstanding warrant or detainer, his custody level will remain six. If he has no warrants or holds, he will be classified lower, depending on the seriousness of the current offense and the existence of local family ties. A copy of the Northpointe JICS decision tree is attached as Appendix A to this report.<sup>3</sup>

JICS allows for the classifying officer to manually override the decision tree and increase an inmate's security level based on, among other things, an extensive criminal history, gang activity, or escape history. These overrides generally are based on an inmate's record of prior incarceration in the Los Angeles County jail. The system also allows a classifying officer to override and reduce an inmate's security level, but this almost never happens at the

<sup>3</sup> In the Northpointe material, security level nine is minimum security and one is maximum—the opposite of the LASD's JICS numbering system.

initial classification because of time constraints and a fear of being second-guessed.

The Northpointe system has been accepted by the National Institute of Corrections as a model for objective jail classification. Implemented properly, it can be an effective tool for managing inmate populations. Unfortunately, from the time the LASD purchased the JICS software from Northpointe in 2002 until the spring of 2006, the LASD limited the effectiveness of JICS by not properly integrating it into existing systems or employing it in the process of deciding where to house inmates.

Moreover, when the LASD installed JICS, it sidestepped important policy decisions that should have accompanied the move to an objective classification system. It clung to an old system of special handling codes and colored wristbands, failed to implement the critical reclassification function of JICS, and neither set nor enforced custody boundaries for inmates at each security level.<sup>4</sup>

Through the newly-created Central Housing Unit, the LASD finally has begun to address some of these issues. While the changes being made are gradual and long-overdue, we are pleased to see some progress toward a more meaningful classification system.

### **Inmate Population by Security Level**

We looked at the total population of classified inmates on a given day to get a picture of how the population is broken down by security level.

Nearly three-quarters of the inmate population is classified as medium security (security levels five through seven), while 16 percent are considered to be close security (security level eight). Fewer than 10 percent of inmates are low security (levels one through four), and only two percent are designated maximum security (level nine). See Table 1.1.

<sup>4</sup> "Custody boundaries" refers not only to the physical space within a jail where inmates are confined, but also to all other aspects of inmate management, including eligibility for programming and other privileges, and guidelines for movement.

**Table 1.1 Classified Inmate Count by Security Level – June 21, 2006**

<b>Security Level</b>	<b>9</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>Total</b>
CRDF	37	242	718	827	212	107	34	113	57	2347
MCJ	144	1022	2063	1261	421	193	36	134	92	5366
MCJ Medical	1	50	71	33	13	7	2	5	2	184
County Hospital Jail Wards	0	2	6	9	3	2	0	0	0	22
NCCF	139	895	1400	802	301	0	5	5	0	3547
PDC East	0	10	957	537	261	0	0	3	0	1768
PDC North	0	6	865	831	221	197	45	196	125	2486
TTCF	52	748	839	597	241	130	24	61	31	2723
<b>Total</b>	<b>373</b>	<b>2975</b>	<b>6919</b>	<b>4897</b>	<b>1673</b>	<b>636</b>	<b>146</b>	<b>517</b>	<b>307</b>	<b>18443</b>
Percentage of Total	2.0%	16.1%	37.5%	26.6%	9.1%	3.4%	0.8%	2.8%	1.7%	

## *II. Special Handle Inmates*

In addition to the JICS security level assigned to all inmates, some inmates receive one of a variety of “special handle” codes meant to alert deputies that the inmate has special housing or movement needs apart from those of the general population. For example, law enforcement officials and their relatives are designated K-1 and are housed apart from other inmates. Some powerful gang leaders, prison gang drop-outs, and inmates who have assaulted staff members are labeled K-10 and are kept away from all other inmates in a highly restrictive, single-cell environment. Inmates who are likely to be targets for assault as a result of their fame or notoriety also are labeled K-10 and are similarly isolated from all others in restrictive, single-cell housing.

An inmate testifying against another inmate will receive a K-2 designation, while the inmate he is testifying against will be made a K-3, a designation that tells staff he is to be kept away from all K-2s, and vice versa. If a male inmate

is self-identified as gay, he will receive, in addition to his security level, a K-11 designation and will be housed apart from other inmates in a dorm with only gay inmates.

In addition to the keep-away codes, an inmate may be assigned a specific color wristband and letter code to indicate another level of special handling. A red wristband indicates an inmate must be escorted at all times. Subclasses of the red band include “Red H” (Highly Dangerous), “Red E” (Escape Risk), “Red V” (Noteworthy Inmates), and “Red Z” (Condemned Prisoner). Blue wristbands are used for inmates with certain special handle codes, such as K-2 through K-5 (indicating the inmate is to be kept away from certain other inmates), suicidal (S), mentally ill (M), dangerous (as opposed to the red-wristband “highly dangerous” designation) (D), and certain low escape risk inmates (E).

We have several concerns about the LASD’s special handle code system. First, all of these codes pre-date JICS, and many of these designations are redundant and confusing. When the LASD originally introduced JICS, it simply added it as another layer of classification without considering how to integrate the new classification system with the old special handle codes. While the codes may have served LASD needs in the past—when it did not house inmates according to their security level designations and so needed a way to alert deputies that a particular general population inmate was dangerous or an escape risk—it is now outmoded and inconsistently applied.

When used properly, JICS eliminates the need for all but a few special handle codes. The special handling code designations of “highly dangerous,” “dangerous,” and “escape risk” are already built into the JICS decision tree: Thus, for example, the only way an inmate can be assigned a security level of eight or nine is if he has a record of assaultive felonies, escape attempts, or other prior serious institutional behavior problems. If each security level had a corresponding set of custody boundaries and well-defined rules governing



inmate movement and housing, there would be less need to make many additional special handling designations. That is, if a jail's security staff understands, for example, that level eight inmates pose a threat to jail safety and security and should not be free to wander the jail unescorted, the "Blue E" or "Blue D" designation on top of the security level eight is unnecessary.

Of course, there may remain a legitimate need for special designations of prison gang drop-outs, inmates who must be kept away from certain other inmates because they are enemies or co-defendants, for gay and other particularly vulnerable inmates, and members of certain gangs who must be separated from rival gangs. And in Los Angeles, celebrities and others in need of protection because of their notoriety may be sufficiently frequent guests of the County jail to warrant their own designation.

Otherwise, the current hodgepodge system of security level assignments and special handling codes should be modified to create a more unified classification system. If special handle codes can be eliminated, they should be. If classification factors reflected in special handle codes are absent from the Northpointe JICS software, the LASD should work with Northpointe to customize JICS to more accurately classify the Los Angeles County jail population. CHU currently is reviewing this issue and drafting some new policies regarding special handle codes. We look forward to working with the Department as it makes these changes.

Our additional concerns relate specifically to the K-10 classification. These special handle inmates are locked down in single cells which they never leave without a deputy or custody assistant escort. The K-10 designation can be assigned by IRC at initial classification, or later, following a request from any officer at any time during an inmate's incarceration. After the initial designation, the Jail Liaison Unit at Men's Central Jail (MCJ) is responsible for investigating and making determinations of an inmate's eligibility for K-10 status. Because many K-10 inmates are prison gang members

who can incite violence in general population or prison gang drop-outs who are in danger of retaliatory attacks, the deputies working the Liaison Unit communicate regularly with California prison officials and parole officers, identifying prison gang members who have returned to county jail and developing intelligence about and through these inmates. The Liaison Unit's decision is subject to review by a sergeant or lieutenant in CHU, but it is the deputies working the unit who have functional control over the special handle code system. Because the role of assigning special handle designations is intimately connected to classification and housing decisions, CHU ultimately should assume this duty.

Central control of the special handle codes and JICS security level classification could alleviate some lingering problems with merging the two systems as they currently exist. We have in the past noted inconsistencies between K-10 classifications and JICS security level designations, discovering inmates assigned a security level of seven yet classified K-10 because they were highly dangerous and had assaulted or even killed other inmates, actions that clearly should have caused them to be reclassified to a security level nine. While our most recent review turned up fewer of these inconsistencies, we nonetheless found some apparent misclassifications, including one inmate charged with multiple murder counts who, while waist-chained, attacked a deputy, breaking the deputy's hand, and who is now, according to LASD records, "looking to kill a deputy." While appropriately classified K-10, his security level is a nonsensical seven. Another K-10 inmate who is labeled "extremely dangerous" because he "might assault staff" is likewise classified a seven. And another K-10 inmate apparently misclassified as a seven is charged with multiple murders and has a "history of slipping cuffs and has assaulted other inmates."

While the Department is managing these inmates with appropriate caution as K-10s, the misclassification presents an unacceptable level of risk to staff, inmates, and the County for two reasons. First, if one of these inmates were

to be de-classified from K-10 status, he could be returned to medium security housing as a level seven inmate. Second, these types of inconsistencies among K-10s may be indicative of other, more widespread classification errors in the general population. We found a handful of other such examples in our review, highlighting the need for CHU to handle K-10 designations and bring JICS together with the special handle code system.

Indeed, if the two systems were merged and managed by one central unit, some inmates currently classified as K-10s could likely be managed as level nine inmates. In addition, with a more thoughtful housing plan, some current K-10 inmates, particularly some of those who have been classified K-10 for their own protection and have no history of violence, could live together in a less restrictive environment, isolated from other inmates. Both moves would protect inmates' individual rights and preserve some of the scarce K-10 housing for those who truly cannot be controlled or protected in any other setting. The LASD is reportedly in the process of drafting a new policy on K-10 inmates to address some of these issues. We look forward to seeing progress.

### *III. Classifying Gang Members*

Another aspect of classifying inmates in the County's jails is the province of the jails' gang units, known as Operation Safe Jails (OSJ). Twenty-two OSJ deputies (11 each assigned to North and South teams and stationed at NCCF and MCJ) and two sergeants have the role of identifying members of street gangs in the inmate population, recognizing inmates at risk of violence at the hands of gang members, developing intelligence on gang activities, weapons, and drugs in the jails, and recommending housing moves based on all the intelligence gathered. Though not formally a part of the classification system, OSJ investigators play an important role in helping jail managers minimize the risk posed by the most dangerous inmates.

JICS contains a module for gang membership, but information entered into the system is based solely on inmate self-reporting. Because few inmates voluntarily acknowledge their gang membership, JICS does not provide an accurate record of inmate gang activity. OSJ investigators keep a less formal but more complete record of inmate gang involvement. They do not formally assess every inmate who comes into the jail, but do observe initial strip searches to check inmates' bodies for certain tattoos— the “uniform” of gang members. OSJ interviews those inmates identified as potential gang members and observes them in interactions with other inmates before labeling them gang members.

### **K-10 Inmates**

Out of a total inmate population of roughly 18,000, approximately 500 inmates are labeled “K-10.” Roughly 90 percent of these K-10 inmates are men. While no precise data exist about the reasons why these inmates have been classified K-10, our tally of the K-10 population on one given day indicates that, among male inmates, nearly half - 44 percent - are in that restrictive environment for their own safety, most commonly because they are gang drop-outs or have testified against another inmate, or because their arrest or alleged crime generated media coverage that makes them a high profile target among general population inmates.

The next largest group of inmates, roughly 26 percent, are isolated as K-10s because they pose a threat to other inmates or the stability of the jails. Some in this group are high-powered gang members, some have a history of victimizing others, some incite violence or are thought to be trying to communicate with others to set up possible homicides or gang hits, and some need to be kept away from specific inmates who are involved in their criminal cases. Twelve percent have been combative or assaultive or otherwise have threatened deputies or other staff members, while nine percent are considered to be escape risks. Roughly four percent are housed as K-10s because the only charges they face are for contempt of court and therefore should not be mixed with the general population. Three percent are classified pursuant to a court order to keep them away from all other inmates, and the remaining two percent are labeled K-10 because they have no telephone and visiting privileges.

Among female K-10s, 57 percent are being isolated for their own safety, and a majority of these are in danger because their charges involve crimes against children. Just four percent of female K-10s are so classified because of gang membership or their threat to other inmates or jail stability. Twelve percent need to be isolated from certain other inmates. Only two percent present an escape risk, but nearly 20 percent are classified K-10 because they pose a threat to jail staff. Three percent are classified K-10 pursuant to a court order, and two percent are kept in restrictive housing to cut off phone and visiting privileges.

Once identified, inmate gang members are mined for information by OSJ deputies working to forestall fights between inmates, thwart disturbances, and to locate prohibited drugs, alcohol, or weapons. OSJ deputies make frequent recommendations for housing moves based on intelligence they gather from inmates. For example, if they hear about a planned fight, they may recommend removing all the shot-callers they know of from a particular dorm. Without their leaders, other gang members often lose the initiative to fight. To disrupt gang operations, OSJ sometimes makes recommendations to randomly move inmates they believe are shot-callers.

OSJ also makes recommendations about classification and housing based on an inmate's status within the gang. Shot-callers or hard core gang members may get locked down as K-10 inmates, or at least separated from the general population. Targets of gang violence or "greenlighters"—often former gang members or those who have crossed a particularly powerful gang member—are housed separately, on designated rows. OSJ deputies lack the ability to authorize the move of an inmate from one location to another, but make frequent recommendations for moves within a given facility that are almost always heeded. As a result, while OSJ is not expressly involved in classifying or housing inmates, as a practical matter, it functions as a classification team.

There is an ongoing debate in the LASD over the importance of gang membership in an inmate's security level designation and whether JICS should be modified to include more substantive gang intelligence information in an inmate's classification. Should a gang member receive a higher security level designation by virtue of his gang involvement, regardless of his charged offense or any of the other factors probed by JICS? Some argue that an inmate's history of violence is more relevant than gang membership; that there are plenty of milquetoasts among a gang's ranks who associate with the gang for protection and do not have a propensity for violence. Others argue that gang membership is the single most important factor in predicting violence or other

misconduct in custody and therefore should be a primary consideration in classifying inmates. There is no one correct position in this debate, though no one doubts an inmate's status as a member of a gang has some relevance to the decision about how to best house and manage him. We look forward to continuing our work with the LASD as it considers how to weigh gang membership in determining an inmate's classification.

#### *IV. Reclassification*

A central piece of JICS or any other classification system is the reclassification function. The initial classification instrument is appropriately cautious — it funnels inmates to the highest possible security level based on the charged offense and documented criminal and custodial history. Yet overclassifying inmates is expensive and places unnecessary restraints on inmates. The primary goal of classification systems is to match each inmate with the least restrictive security level that will nonetheless prevent the inmate from escaping or disrupting jail security. Among the best measures of this risk is how an inmate behaves in custody, so it follows that periodic reclassification allows jail managers to overcome the cautious approach of the initial classification and reevaluate inmates based on their actual conduct.

In addition to allowing the classification team to adjust for any over- or under-management of inmates following initial classification, frequent reclassification or classification review allows agencies to better realize the benefits of their classification systems. A good classification system, when coupled with a housing plan granting access to programs, certain housing assignments, and other privileges such as television and vending machines based on security level, is a potentially valuable behavior modification tool. Without frequent and regular reclassification opportunities, however, inmates do not see how their behavior can influence their living conditions. That is, the classification system can induce good behavior only if inmates have a realistic expectation

that their security level will be lowered. Likewise, inmates must understand that bad behavior can increase security level and result in a more restrictive housing situation. Any escape attempt, assault on another inmate or an officer, or any other serious disciplinary infraction should lead to immediate reclassification and restricted housing pending a hearing on the alleged offense. Unfortunately, in Los Angeles County's jails, managers are not realizing these benefits of the classification system: No facilities are periodically reclassifying inmates downward, and most are not even raising security levels for disciplinary reasons.

#### **A. LASD Policy and Practice**

In the LASD, each individual jail facility currently bears most of the responsibility for reclassifying its inmates. According to Department policy, the facility classification officer is responsible for reviewing the classification of any inmate charged with three or more minor disciplinary actions within a period of 90 days, a major disciplinary action, escape, or criminal activity. The classification officer is supposed to perform the reclassification within 10 days of the triggering incident.

An inmate's sentencing is another cause for classification review. Generally, medium and minimum security inmates are considered to be more stable and pose less risk of misconduct once their court cases have concluded and they have been sentenced to county jail. The responsibility for post-sentencing classification review lies with classification personnel at IRC, not the individual jail facilities, and must be completed within 10 days of sentencing.

In addition to this disciplinary and post-sentencing reclassification, inmates' classification must be routinely reviewed on a regular basis in order to maintain the system's effectiveness. This routine classification review, triggered not by any event but simply by the passage of time, is a critical jail population management tool. LASD policy requires that inmates be reviewed at least

once every 90 days to assess whether they remain appropriately classified. In the past, the LASD was not fully complying with this policy. While IRC is now doing a better job of ensuring timely classification reviews are completed, these reviews are largely clerical and not likely to lead to meaningful change.

JICS contains a reclassification decision tree that focuses on aggravating and mitigating circumstances to justify either increasing or decreasing an inmate's security level. A copy of the reclassification tree is attached as Appendix B. If an inmate has exhibited no behavior problems, has demonstrated a positive attitude, complied with staff, or made good progress in school or other programs, he may be eligible to have his security level reduced. On the aggravating side of the tree, any serious behavior problems should lead to an increase in an inmate's security level.

## **B. Reclassification as a Management Tool**

When an inmate arrives at IRC, the custody assistant responsible for classification has fewer than 10 minutes to assign the inmate a security level which will determine his housing assignment, opportunity for program participation, and various other privileges or limitations. The custody assistant asks the inmate a limited set of questions and reviews a variety of databases that tell the inmate's criminal history and any record of prior incarceration in the Los Angeles County jail.

The custody assistants we have observed working classification do a thorough and complete job with the tools available while under serious pressure to work quickly and move inmates through the system. Like the JICS initial classification decision tree, the custody assistants who perform initial classifications are cautious: Though the JICS decision tree has a field to allow overrides down to a lower security level, it is never used. The view among most in the LASD is that overriding down may increase exposure to criticism and lawsuits if the classification decision leads to tragic consequences. Certainly no custody



assistant wants to be called to answer to his superiors, the public, and the media when an inmate he or she classified down attacks a deputy or kills another inmate.

We understand the hesitance to override the outcome of the decision tree to assign a lower classification. In an ideal system, though, classification officers would have the time to interview an inmate and more thoroughly research his background, including gang affiliations. With added time would come the confidence to deviate from the computer-prescribed security level, when warranted. While we recognize the number of inmates passing through IRC on a typical night may currently make this impractical, it is nonetheless a goal towards which the Department should work.

In the meantime, prompt and periodic reclassification would provide the benefits of additional time and the ability to evaluate an inmate's behavior during his initial days in the jail environment. In addition to compensating for the hurried pace of initial classification, frequent and more meaningful reclassification or classification review would allow the LASD to use its classification system to modify inmate behavior.

The LASD currently is not capitalizing on these opportunities. Classification reviews are largely a clerical duty that seldom result in a change to an inmate's security level. If an inmate's status has not changed in a way that is objectively measured on the decision tree (i.e., charges have been reduced or he has been sentenced, for example), the deputy or custody assistant performing the reclassification generally does nothing. Indeed, when we asked for data detailing classification reviews and outcomes, we learned that CHU does not regularly run such a report and, according to Scott Chew, the lieutenant in charge of CHU, it does not need a report to know that "facilities are not...reclassing people downward during periodic reviews right now."

Lt. Chew understands the importance of reclassification as a tool for modifying behavior and has plans to encourage more frequent downward

reclassification. Specifically, he wants to alter the absence of “written protection...for the person who reclasses someone downward or upward and that results in a negative incident. If [the reclassification officer] leaves the person where initially classified per the decision tree, [the officer] has done nothing [he or she] can get in trouble for.” By creating some assurance that a well-reasoned and properly-documented reclassification will not result in discipline, Lt. Chew hopes he can overcome officers’ reticence to perform meaningful reclassification.

Critical to this effort at creating a more meaningful reclassification system is centralizing the reclassification function in CHU. The current system of relying on individual facilities to reclassify their inmates is fraught with inefficiencies and will prove to be unworkable in the long run. Meaningful reclassification is, at some level, a subjective endeavor. Reclassification officers ought to consider inmates’ changes of attitude, efforts displayed in programs, and compliance with jail staff to determine if they are eligible for changes in security level.

An initial concern with a non-centralized system is that deputies at individual facilities will not have the proper training or develop the expertise necessary to assume this role. Further, if individual facilities begin to exercise this discretion, the potential for uneven application and unnecessary housing moves is great. For example, suppose a deputy performing a classification review at PDC-East determined that an inmate posed a risk that required an increase in security to level eight. Because East does not house level eights, that inmate may be sent, for example, to Twin Towers, where he would receive a housing assignment consistent with his security level. A different deputy would then have the discretion at the next reclassification review to make a different determination of that inmate’s risk and could reclassify downward to trigger another housing move, perhaps back to East or another PDC facility. To prevent this type of inconsistency and inefficiency, CHU

should take over all responsibility for reclassifying inmates. Indeed, a truly centralized classification and housing system requires that classification staff have sole authority for assigning security levels, both initially and on reclassification.

Finally, the Department's current policy of performing classification review every 90 days does not fully capitalize on the benefits of its classification system. Better practice would be to perform an initial classification review on all inmates within 30 or 45 days of their arrival at the jail. This would allow reclassification officers the ability to quickly correct for anything overlooked by the initial classification officer, including mitigating and aggravating circumstances.

After this initial reclassification review, medium and low security inmates could be reviewed every 90 days. Because the housing for inmates who are security level eight and nine is both the most restrictive of personal freedoms and the most expensive and scarce, those inmates should be reclassified more frequently than once every 90 days, at least every 30 days. This more frequent classification review would provide greater opportunities for using reclassification to influence inmate behavior and more effectively manage the jails.

## *V. Evaluating the JICS Classification System*

A prison or jail system's classification system must be comprehensively evaluated to ensure that it is working as intended, to confirm its validity, and to assess its impact.<sup>5</sup> The LASD's classification system has never been subjected to such scrutiny. Until recently, it would have been pointless to try to conduct such an evaluation because the Department was not using security level classification to guide its decisions about where to house

<sup>5</sup> Austin, James and Patricia L. Hardyman, *Objective Prison Classification: A Guide for Correctional Agencies*, July 2004, U.S. Department of Justice, National Institute of Corrections, pp. 41-47.

inmates. With JICS security level assignments now playing a more important role in jail management, the LASD should engage a research analyst to evaluate and validate its classification system.

While Northpointe's system of classification has been independently validated, its implementation by LASD staff and its effectiveness in classifying the population of Los Angeles County jail inmates has not been established. No distinct set of classification factors applies equally across all populations and, as jail administrators are quick to point out, LA County is unique in many ways.

According to National Institute of Corrections (NIC) classification experts, a classification evaluation should include process evaluations to assess the system's reliability and validity and an impact evaluation to determine whether there is any cause-and-effect relationship between the classification system and the desired effect on facility security and inmate and staff safety.<sup>6</sup> The reliability assessment is relatively simple. It looks at the degree of consistency in the decision-making process: whether different classification officers are scoring like inmates similarly and whether a single officer is consistently applying classification criteria over time.

Validation studies are more complex and track a sample of inmates over a period of time to assess whether the risk factors contained in the classification system are indeed predictive of inmate misconduct. In particular, the experts warn that "agencies need to review their classification policies regularly to ensure they are not being overly restrictive."<sup>7</sup>

We fear this may be the case with some of the LASD's new classification policies. For example, following the February 2006 disturbances, the Sheriff announced an intent to classify all gang members accused of murder as level nine inmates and all murder or attempted murder suspects as no lower than

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 46.

level eight. While this is an understandable response to the intense media and political scrutiny focused on the Department following those disturbances, it is not sound classification policy. Indeed, the NIC experts expressly caution against this type of broad overclassification: “An example of an overly restrictive policy would be one that required all prisoners convicted of homicide...to be housed in maximum security for an extended period, even when it is clear that many such prisoners can safely be housed in a medium-security setting.”<sup>8</sup>

Impact evaluations are difficult to conduct because of the large number of factors that could potentially explain any given outcome. For example, comparing data for the three months immediately following the LASD’s implementation of its plan to house inmates by security level (March 1 through May 31, 2006) to the same three-month periods in 2004 and 2005, one could infer that security level classification and housing has a dramatic impact on use of force, inmate vs. inmate assaults, and inmate vs. staff assaults, as all of those numbers dropped significantly in 2006. *See* Chapter 2, Section I.A., Tables 2.1 through 2.4. Nevertheless, because there are a number of other possible explanations for this statistical trend, there is no clear cause-and-effect relationship.<sup>9</sup> The reduced level of violence is not necessarily related to the change in classification and housing procedures, and certainly is not wholly attributable to that change. Nonetheless, this data, along with comparison of other relevant variables and the Department’s classification and housing policies, certainly warrants further study and attention.

As the LASD goes forward with shaping its housing plan around JICS security level classification, it would be wise to ensure that those security level designations are being applied appropriately. We do not know what will be the outcome of a properly-conducted evaluation. We hope that it will prove

<sup>8</sup> *Id.* at 46 n.6.

<sup>9</sup> Equally likely explanations include: 1) following weeks of disturbances, inmates simply grew weary of the restrictions their fights brought on, and 2) that the main protagonists of the fights, the Southsider gang members, had established control of the dorms, eliminating the need for further violence.

JICS to be an effective and valid classification tool. But before the Department makes plans for building and opening new jails around, for example, the number of security level eight inmates in its custody, it should assure itself that the right inmates are being so classified.

## *VI. Classifying Female Inmates*

The LASD currently classifies women using the same decision tree and one through nine scale it uses to classify men. This alone is cause for concern, as the NIC experts note:

Women prisoners, who are far less likely to become involved in serious or potentially violent behavior while incarcerated than men, are as a class more likely than men to be overclassified under a system that has been normed on a male prisoner population. For this reason, the classification system for women prisoners should be adjusted based on a separate study of the female population's misconduct rates to ensure that such overclassification does not occur.<sup>10</sup>

We do not have enough information to judge whether the LASD is systematically overclassifying female inmates by using the JICS classification tool designed for the male inmate population. Around two percent of the approximately 2,300 classified female inmates now housed at the Century Regional Detention Facility are classified as security level nine inmates; 10 percent are classified as level eight; 10 percent are level seven; 35 percent are level six; nine percent are level five; five percent are level four; and roughly nine percent are classified as security levels one through three.

There are proportionately more female inmates classified at the lower security levels than men, but this likely has more to do with the LASD's early

<sup>10</sup> Austin and Hardyman, p. 46.

release policy, which is different for male and female inmates and results in low security male inmates being released after serving proportionately less of their sentences than females. A more detailed study of the female population is necessary to determine whether these inmates are appropriately classified according to their true risk factors or whether the LASD should alter its classification system for women, either by making more frequent use of overrides to deviate from the classification score assigned women by the standard classification tool or by modifying the risk factors used to classify women.

CHU officials acknowledge they have not fully considered the impact of the classification system on female inmates, and agree there is a need to do so. As part of a broader evaluation of the classification system, we recommend CHU assess the effectiveness of the JICS decision tree in classifying women and immediately make all necessary modifications to ensure that female inmates are being fairly and consistently classified and that the Department is making the best use of available resources in classifying and housing them.

## *Conclusion and Recommendations*

We have discussed most, if not all, of the numerous recommendations made throughout this chapter with the leaders of the newly-created Central Housing Unit. On many of these issues, we are in agreement with those individuals. Indeed, the LASD is currently exploring or implementing many of these recommendations. We look forward to continuing to work with CHU as it assumes all functional control of the important related tasks of classifying and assigning housing for all inmates in LASD custody. In sum, we recommend the following:

- Modify the current system of security level assignments and special handling codes to create a more unified classification system. If some special handle codes can be eliminated, they should be. If classification factors reflected in special handle codes are absent from the Northpointe JICS software, the

LASD should work with Northpointe to customize JICS to more accurately classify the Los Angeles County jail population.

- Centralize all control of the assignment of special handle codes, including K-10 designations, and JICS security level classification in the Central Housing Unit.
- Continue to reevaluate the K-10 designation to determine, first, how to reduce the K-10 population by managing some current K-10s as level nine inmates; and, second, whether some current K-10 inmates, particularly those who have been classified K-10 for their own protection and have no history of violence, could live together in a less restrictive environment, isolated from other inmates.
- Assign to CHU the responsibility for performing both disciplinary and periodic classification reviews for all inmates.
- Perform more frequent and meaningful classification reviews to avoid both overclassifying and underclassifying inmates and to better realize the behavior modification goals of the classification system. Modify LASD policy to require initial reclassification of all inmates within 30 or 45 days of their arrival at the jail. For maximum and close security inmates (levels eight and nine), require reclassification at least every 30 days.
- Engage a research analyst to evaluate and validate the JICS classification system as it has been implemented in the Los Angeles County jails to ensure that security level designations are being applied appropriately and efficiently.
- Assess the effectiveness of the JICS decision tree in classifying women and make all necessary modifications to ensure that female inmates are being fairly and consistently classified and that the LASD is making the best use of available resources in classifying and housing them.





## *Introduction*

As important as is a good classification system to jail security, it is worthless if it is not used to determine where to house inmates. Until very recently, the LASD did not make use of its classification system in housing decisions. Among other troubling consequences, this prior failure to house inmates in accordance with their security risk factors contributed to a spate of jail disturbances and played a role in the deaths of at least three inmates at the hands of other inmates in the last three years. The Department's disinclination to create a single authority responsible for balancing the jail's daily inmate population with the total space and type of housing available perpetuated the inconsistency and inefficiency that contributed to these tragic outcomes.

We have complained in the past about the flawed system for assigning inmate housing, arguing that the absence of a uniformly applied, centrally administered, and rational plan for inmate housing jeopardized inmate safety in ways that could not easily be measured. It similarly created an unacceptably dangerous situation for staff, particularly given the increasingly violent nature of the Los Angeles County jail population, the overcrowding at Men's Central Jail (MCJ) and elsewhere, and the LASD's chronic shortage of staff to work the jails.

We argued for the creation of a centralized classification and housing bureau as the first step toward managing the dangers, inefficiency, and inconsistency connected with the LASD's diffuse system of managing inmate housing. We advocated a centralized unit headed by a captain to make all classification and housing assignments with the goal of minimizing threats posed by dangerous inmates and maximizing protection of vulnerable inmates. Various members of the Board of Supervisors reached the same conclusion.

For most of this year, the LASD has been implementing a plan to create a central unit to assume responsibility for housing inmates system-wide. The new Central Housing Unit (CHU) has been operating for about two months. While the unit is still establishing its authority and has not fully assumed the role as manager of all inmate housing decisions (at least in part because of technological limitations), its incremental progress is encouraging. Equally encouraging is the Department's commitment to house inmates according to their assigned security levels. In the remainder of this chapter, we describe these efforts and the development of CHU, assess its limitations, and make recommendations for further progress.

## *I. Housing Inmates by Security Level*

For years, the LASD housed inmates with little regard for their security levels. Housing decisions were not based upon the dangerousness or the vulnerability of inmates. Instead, decisions were made according space availability and racial balancing. This decentralized, uncoordinated, and flawed system led to chronic inconsistency and danger.

Under that system, deputies and custody assistants at IRC classified inmates and assigned them to be housed at one of the County's jail facilities.<sup>1</sup> At each jail, different groups of deputies were responsible for making further assignments. First, intake deputies at each facility would assign inmates to particular modules or dorms.<sup>2</sup> At MCJ, these intake deputies collapsed the nine JICS security levels into two groups, sending level one through five inmates to one housing location and level six through nine inmates to another.

<sup>1</sup> This Report looks at housing assignments for male inmates. Female inmates generally do not pass through IRC but go directly to the reception area at the newly-reopened Century Regional Detention Facility. Because there is just one jail for women in the County and therefore fewer complicated decisions about where to house them, our observations apply mainly to male inmates.

<sup>2</sup> At MCJ, the deputies making these assignments worked in Facilities Accountability Services (FAS); at NCCF, the assigning deputies worked in the jail's Inmate Processing Area (IPA); and at most other facilities, deputies assigned to "classification" made initial housing assignments.

At the three Pitchess Detention Center facilities in northern Los Angeles County (PDC), deputies never even knew the JICS security levels of the inmates for whom they assigned housing. In fact, the list of inmates faxed to PDC jails by IRC in advance of the inmates' arrival contained names, booking numbers, race, and last housing assignment, but no indication of security level.

After the intake deputies assigned a general housing location, other deputies staffing that module or dorm assigned the inmates to a particular cell or bed. The deputies responsible for those housing assignments generally did not assign housing based on threats posed to inmate and staff security, but rather upon space availability and considerations of racial balancing. They usually did not even know the JICS security levels of the inmates they confined.

Following five inmate homicides in a six-month period in 2003 and 2004, three of which raised concerns about the way the jails were classifying and housing inmates, we strongly advocated that the LASD maintain distinct housing for separate security levels, and various members of the Board of Supervisors agreed. Although some high level individuals in the Department concurred with our recommendations, others remained resistant. Following a leadership change in the spring of 2005, the LASD began making plans to house inmates according to their JICS security levels. Media and Supervisorial pressures in the wake of another inmate homicide in November 2005, along with the inmate disturbances in February 2006, provided the impetus for immediate change, and the Correctional Services Division created a housing matrix that outlined all available bed space in the entire jail system and assessed the appropriate security levels that each unit could house safely.

Currently, the nine JICS security levels are broken down into four functional ones: one through four (low security), five through seven (medium), eight (close security), and nine (maximum). Establishing custody boundaries for each security level proved to be a complicated task, particularly at MCJ, which serves as temporary holding place or transfer facility for all inmates

before assignment to another County jail. MCJ, therefore, has to be capable of housing all security levels.

The Department began its efforts to house by security level in March 2006. By April and May 2006, the PDC facilities were largely in compliance with the Department's new housing plan. Twin Towers and MCJ followed in July 2006. So far, our investigation shows that the LASD is enforcing its established custody boundaries and maintaining distinct housing for the four security level groups.

Yet given the housing mix of the jails and the demographics of the inmate population, the progress to date will be hard to maintain. The jails are chronically overcrowded, with practically every available bed occupied each night. According to experts, in order to consistently maintain security level boundaries, as many as 10 percent of a jail's beds need to be empty at any given time to give housing managers the flexibility they need. Jails frequently are compared to hotels in this regard. Hotel planners can try to predict how many guests will want one king-sized bed instead of two double beds. Yet a hotel cannot realistically expect to book every single room on a given night and still give each customer exactly what he or she requested. Either some rooms will remain empty or some guests who wanted king-sized beds will sleep in double beds.

Likewise, a jail cannot perfectly predict how many maximum and medium security inmates will be in its custody on any given day. Either some beds will be empty or some inmates will be inappropriately housed. Simply put, it is very difficult for housing managers to consistently maintain security level boundaries yet fill every available bed.

The LASD rarely has the luxury of enough empty beds in the right places. Events during the weeks before we finalized this Report demonstrate the difficulties managers face as they balance various competing concerns while maintaining security level housing. By moving close security level (level

eight) inmates from other facilities into re-opened cells in Twin Towers, LASD housing managers had planned to create the kind of additional space, system-wide, to preserve security level boundaries. Then, under pressure from the ACLU and the federal judge overseeing the 1975 *Rutherford* consent decree on jail conditions, the Department agreed to reduce all six-man cells in MCJ to four-man cells and to work to reduce all current four-man cells to two-man cells.

MCJ accomplished this, in large part, by moving approximately 1,200 inmates to other facilities—roughly half to Twin Towers and half to the PDC facilities—thereby eliminating the newly created surplus space. Shortly thereafter, on July 13, 2006, over 1,000 inmates in 11 dorms at PDC-East erupted in a racially-based disturbance, quickly followed by a smaller disturbance at PDC-North. The PDC facilities, working with CHU, had to quickly move those perpetrating the violence out of the dorm setting and into cells, primarily at MCJ, thereby temporarily undoing the previous efforts to reduce the number of inmates in six-man cells.

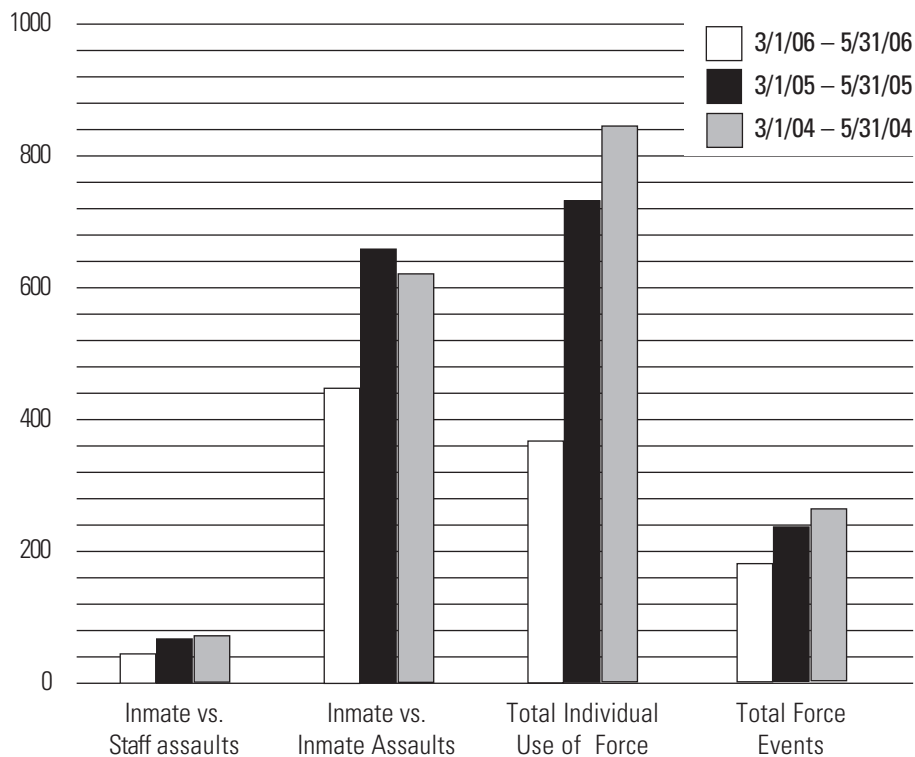
Competing and conflicting demands put the Sheriff's Department between a rock and a hard place: The LASD must respond to pressures to house inmates by security level classification, curtail early releases to keep more inmates in custody longer, reduce the number of inmates in each cell or dorm, and handle immediate crises, such as moving inmates to MCJ to quell disturbances elsewhere. The Department cannot do all of it at the same time. We empathize with the Sheriff and his command staff and support them in their efforts to respond to conflicting demands. Readers should be aware that this Report does not evaluate the LASD's efforts to reduce overcrowding, curtail early releases, or handle inmate disturbances. Our focus is on classification and housing. Our criticisms and recommendations, therefore, must be ultimately evaluated in light of the LASD's responses to other conflicting necessities.

## A. Lessons Learned About Housing

Given that CHU has been in operation for a matter of months, it is premature to assess the impact of the LASD's new housing plan. As time passes and security level housing becomes a more established practice, we will review data on uses of force, inmate assaults and injuries, and inmate misconduct, among other indicators of the plan's effectiveness.

We nonetheless looked at data for the three months following the February 2006 disturbances. Comparing the results to the same three-month period for the past two years, we found that uses of force and assaults by inmates generally fell during 2006. *See* Tables 2.1, 2.2 (NCCF), 2.3 (PDC-North),

**Table 2.1 Three-year Comparison of Violence in the Jails**



**Table 2.2 Three-year Comparison of Force and Violence – NCCF**

	<b>3/1/04 - 5/31/04</b>	<b>3/1/05 - 5/31/05</b>	<b>3/1/06 - 5/31/06</b>
Total Force Events	35	27	21
Total Individual Uses of Force	82	76	62
Minor Inmate Disturbances	6	2	2
Major Inmate Disturbances	4	6	4
Inmate vs. Inmate Assaults	125	179	95
Inmate vs. Staff Assaults	7	8	7

**Table 2.3 Three-year Comparison of Force and Violence – PDC North**

	<b>3/1/04 - 5/31/04</b>	<b>3/1/05 - 5/31/05</b>	<b>3/1/06 - 5/31/06</b>
Total Force Events	10	10	2
Total Individual Uses of Force	14	14	3
Minor Inmate Disturbances	0	0	0
Major Inmate Disturbances	3	2	1
Inmate vs. Inmate Assaults	41	55	41
Inmate vs. Staff Assaults	3	0	0

**Table 2.4 Three-year Comparison of Force and Violence – PDC East**

	<b>3/1/04 - 5/31/04</b>	<b>3/1/05 - 5/31/05</b>	<b>3/1/06 - 5/31/06</b>
Total Force Events	9	6	4
Total Individual Uses of Force	26	13	9
Minor Inmate Disturbances	0	0	0
Major Inmate Disturbances	1	2	0
Inmate vs. Inmate Assaults	47	52	44
Inmate vs. Staff Assaults	3	1	0



and 2.4 (PDC-East). While encouraging on the surface, it is still too early to establish a causal link between this positive drop and the new housing plan.

Furthermore, there are a host of plausible explanations for these declines besides implementation of the new housing plan. The drop in violence seen in early 2006 may have been part of the natural ebb and flow of institutional violence. Following weeks of disturbances, inmates may have been weary of the restrictions imposed as a result of their fights and, eager to maintain phone, canteen, and other privileges, changed their behavior. Another theory is that the main protagonists of the fighting, the “Southsider” gang members,<sup>3</sup> had established their control over the dorms, eliminating the need for further violence. And at NCCF, Southsider gang members continue to be isolated from other inmates, resulting in relatively greater peace at that facility. *See, infra*, Section I.D. These factors certainly contributed to the declines in force and assaults seen during the three months following the February 2006 disturbances.

## **B. Inmate Disturbances**

The February 2006 disturbances<sup>4</sup> and media attention to them hastened the Department’s move to a security level-based housing plan. Though the disturbances were principally battles between Latino and African-American inmates and the surrounding chaos made it difficult to determine who the worst perpetrators of violence were, the realization that the jails were housing those it considered to be its most dangerous inmates with its least problematic inmates in a tense and racially charged environment forced the LASD to

<sup>3</sup> The Southsiders are a jail gang made up of all members of local Latino street gangs. The name “Southsiders” is not a reference to South Los Angeles, but rather refers to the fact the gang members are all from Southern California. Their sworn rivals are from Northern California and are known as “Norteños.”

<sup>4</sup> Over a period of 10 days, thousands of inmates in nearly every dorm at NCCF, East, and North and seven housing locations at MCJ fought along racial lines, with Latinos squaring off against African-Americans. Roughly 200 inmates were injured, some seriously, and two inmates died as the result of the fighting.

reevaluate its jail housing policies. If nothing else, managers recognized that the status quo left the Department vulnerable in any litigation resulting from this fighting.

More recent disturbances, including a wave of five major inmate disturbances during the second week of July, however, demonstrate that isolating inmates by security level alone will not eliminate jail violence. The July disturbances began at PDC-East, which was the first facility to be in compliance with the Department's housing plan and, since April 2006, has housed only inmates classified as security levels five through seven. Over 1,000 inmates in eleven dorms at PDC-East divided and fought along racial lines. Smaller disturbances followed at North and MCJ.

The root causes of the disturbances are easy to identify but difficult to address. The jail is populated with individuals who have problems controlling their impulses and managing their anger. They live with other inmates in close quarters under stressful circumstances. At the PDC facilities, where most large-scale disturbances in the jails occur, almost all inmates live in dorms with 80 to 125 other men. They seldom leave their dorms and, except for those inmates able to attend school or other programs, have little to occupy their time. Each dorm is one large, open room (with an adjoining area for sinks, showers, and toilets) in which inmates, sleep, eat, play cards, and watch television. There are no individual rooms or cells in which inmates can find privacy or be secured. It is not surprising, then, that even the smallest instance of disrespect or a perceived slight can cause tempers to flare and fights to erupt. And once a fight is started in a dorm, it can quickly escalate as large numbers of inmates become involved. The dorm-style housing gives jail managers no ability to lock inmates down and few options to respond to early warning signs of violence or to control disturbances once they have started.

### **C. Racial Balancing**

The most common provocation for fights in the jails is tension between Latino and African-American inmates. To discourage fighting between these groups, jail managers attempt to keep a racial and ethnic balance of inmates in each dorm. Currently, each jail facility is responsible for balancing its housing locations. The goal is to maintain a balance of roughly 60 percent Latino, 30 percent African-American, and 10 percent other races and ethnicities, but as the number of Latinos in the jail grows faster than all others, it is sometimes impossible to hit these target ratios. When the ratios are too far off and the number of Latino inmates in a given dorm is disproportionately high, African-American inmates are in danger of race-based attacks and extortion.<sup>5</sup> Also, jail managers report that maintaining the 60:30:10 balance is safer for jail staff because it deters any one group of inmates from planning a coordinated attack by allowing deputies to develop valuable intelligence and manipulate groups to work against each other.

### **D. Management of Inmate Gangs**

Because jail gangs divide along racial and ethnic lines, balancing also plays an important role in effective management of gangs. In the County jail, all Latino street gang members from Southern California band together in a loosely-tied inmate group referred to as the “Southsiders.” The Southsiders, by far the largest gang operating in the jails, seek to control all aspects of jail life, particularly in the dorms, from dictating schedules for taking showers or using the phone to controlling commissary and charging non-Southsider inmates a premium to have access to the store. They assert their dominance with violence and threats of violence, particularly against African-American inmates, according to the LASD.

<sup>5</sup> Of course, the reverse also is true: If African-Americans outnumber Latinos, the Latino inmates become targets of violence and extortion.

Following the February 2006 disturbances, which the LASD claims was orchestrated and carried out by Southsiders, the jails have focused on this and other gangs as part of the overall reevaluation of housing policies. As we said in Chapter One, there is an ongoing debate in the LASD over the importance of gang membership in an inmate's security level designation. Of course, this debate carries over to housing issues.

There are simply too many street gang members populating the jails to feasibly isolate all of them from the general population. Members of certain California state prison gangs are segregated, as are some high-powered members of Los Angeles street gangs, or "shot-callers." Other than these individuals who can be identified and removed from positions where they regularly interact with other inmates, gang members live within the general population. Operation Safe Jails (OSJ) deputies gather intelligence about and through these gang members and make frequent recommendations for how and where they should be housed.

Developing good intelligence is the first, key step to controlling gang activities. Reacting to the intelligence with sound housing decisions is the next. OSJ's housing recommendations seek to intercept contraband and forestall violence by isolating gang members who emerge as leaders. When deputies hear about a planned attack, they will separate those whom they have identified as gang leaders, spreading them out to various other housing locations where they cannot easily collaborate with each other. Often, they recommend such moves absent intelligence about specific gang activity, simply to disrupt communications and prevent gang leaders from solidifying their operations.

Another strategy for managing the Southsiders emerged at NCCF after the February disturbances, which started at that facility. Inmates throughout NCCF rioted for over three hours in a coordinated offensive, according to the LASD. Because the fights apparently began with Latino inmates attacking

African-Americans, NCCF and the other PDC facilities initially separated inmates based on race and ethnicity.

The facilities re-integrated their housing locations within a few weeks of the disturbances, but NCCF implemented a controversial policy of isolating all inmates OSJ officers could identify as Southsiders in separate dorms populated only by other Southsiders. While the jail tries to maintain security level boundaries, this is not always possible. That is, CHU attempts to keep all Southsider level eights in one dorm, with the level five through seven Southsiders in an adjacent dorm, but these lines frequently get breached, and level seven inmates are often housed with eights.

Critics insist that segregating gang members is not the right solution to the jails' gang problems, arguing that it only helps solidify the gang's power and creates increased risks for staff. Others raise concerns that the racially and ethnically sensitive policy may be unconstitutional. In addition, by pulling out so many Latinos for the Southsider dorms, NCCF has dramatically altered the demographics in the rest of the facility, making it difficult to balance the remaining dorms by both race and security level.

Greg Johnson, the captain at NCCF, staunchly defends the decision as necessary to solve the larger gang- and race-based violence problems in the dorms at his facility. And Captain Johnson can point to positive statistics to support his position. Inmate-on-inmate assaults dropped by nearly 50 percent over the same period of time in 2005, and uses of force by his staff likewise decreased. *See* Table 2.2. Most pointedly, in the July 2006 inmate disturbances at PDC, when over 1,500 inmates at East and North facilities divided along racial lines and fought, there were no disturbances at NCCF.

There is no easy solution to the problems presented by gang activities in the jails. We are not prepared to say that segregating inmates by gang membership is the correct response, nor can we say the isolation of Southsiders at NCCF is necessarily wrong, though we have serious doubts about the

long-term feasibility of this strategy. As Captain Johnson notes, “The bottom line is it’s our responsibility to reduce violence in the jails,” and, for the time being at least, he is meeting this responsibility. But so long as the jails continue to house dangerous inmates in overcrowded dorms with little to occupy their time and no way to keep them all in individual cells, the inmates will fight and occasionally riot, and jail managers will continually struggle to control this violence.

## *II. Central Housing Unit*

The LASD wisely realized that the only way to enforce security level-based housing and address inmate disturbances and other violence was through a centralized housing unit. In March 2006, it tasked Sgt. Kevin Kuykendall with creating and implementing a plan to centralize all classification and housing functions in one unit. Sgt. Kuykendall and his team met with staff at each jail to discuss the benefits of giving up local control over housing assignments to a central authority and to gain a better understanding of the housing issues particular to each jail. The consensus was that CHU could not be successful unless it had staff stationed at the PDC facilities to specifically address the concerns of those jails, so the Department established two divisions—CHU-South, based at IRC, and CHU-North, based at PDC. CHU is commanded by Lt. Scott Chew, with Sgt. Kuykendall heading operations for the CHU-South and Sgt. Mo Angel heading up the North division. CHU-North is staffed with nine deputies and custody assistants, and CHU-South has 12. Both divisions run operations 24 hours a day, seven days a week. All CHU personnel are assigned to IRC and operate under the command of IRC Captain Tim Cornell.

We have argued that CHU should operate outside of IRC, with its own captain and no responsibilities beyond classification and housing. We continue to believe that this is a sufficiently important task to warrant its own command

and that placing additional responsibilities on the IRC Captain creates the likelihood that housing and classification issues will not get adequate attention. We are concerned that those who make classification and housing decisions will not be held adequately accountable for errors. Nonetheless, we support the Department's efforts to centralize classification and housing functions and will take a wait-and-see approach to the Department's choice of structure and command.

In May 2006, CHU-North rolled out and began operating at PDC. CHU-South followed several weeks later, drawing on the lessons learned in the first few weeks of the North division's operations. The change has been slow, with CHU currently only assuming responsibility for assigning inmates to particular modules or dorms. The task of assigning an inmate a certain cell or dorm remains with deputies at those housing locations, as does the authority to move inmates between cells for any number of reasons, generally known as harmony moves.

This incremental nature of the change is in part by design: Centralizing all housing functions represents a major change in the way the jails have operated for decades, and CHU calculated it could more effectively introduce change piecemeal rather than all at once. More ominously, the pace of centralized classification and housing may be even slower because of the limited usefulness of the Department's computerized housing system, or Jail Inmate Management System (JIMS), due to the inadequacy of the County's Automated Justice Information System (AJIS).

#### **A. Jail Inmate Management System**

Every classification and housing decision is driven by data and therefore relies on an effective information system. JIMS is a potentially powerful management tool that would permit CHU to efficiently assign specific housing locations to inmates, preserve appropriate custody security level boundaries,

and provide supervisors an effective way to monitor critical statistics. The software could allow personnel to match an inmate with all available housing locations, system-wide, according to a set of pre-defined rules and parameters. Thus, the system could know from an inmate's booking number that he is, for example, 23 years old, African-American, a member of a Crips gang, and has been classified security level seven.

Based on that information and the program guidelines, JIMS could give the user a list of empty beds to which that inmate could be assigned. The computer would not allow an assignment to a module or dorm housing security level eight inmates, and would alert managers if, upon reclassification, an inmate's security level no longer matched his housing location. By tracking all the critical information on inmates assigned to a particular cell or dorm, the system also could allow CHU to do the kind of racial and ethnic balancing currently only possible via a manual count. It also would permit housing managers to make individualized housing assignments even within a given security level by considering compatibility factors such as age, height and weight, and criminal sophistication. Because JIMS must currently operate below its full potential, however, it is difficult to know whether it will do all of the things for which it is touted.<sup>7</sup>

Disturbingly, the LASD cannot currently use JIMS to its full capability because of limits imposed by the broader computer network, AJIS. AJIS is more than 20 years old and does not interface well with more modern programs. AJIS tracks all inmate movement in the jail, from booking through court dates to release. JIMS is able to regularly sweep AJIS for data, but information entered into JIMS does not automatically make its way back to AJIS, meaning that CHU personnel cannot use JIMS to actually make housing assignments, but only can look at the JIMS screen to determine where there are open beds. CHU personnel then must switch back to the AJIS screen

<sup>7</sup> If JIMS proves incapable of handling all the tasks listed above, certainly other programs exist that will meet CHU's needs.



in order to enter a housing location. The necessity to switch back and forth between the two computer programs is at best a nuisance and at worst maximizes opportunities for errors.

JICS, the jail's classification system, likewise does not completely interface with AJIS, and thus JIMS cannot capture the totality of data it is otherwise capable of taking into account. As a result, CHU is compromised in its ability to make specific housing assignments. For example, JIMS does not currently track racial and ethnic data, so it is impossible for CHU, given its current staffing levels, to racially balance a dorm, and that task must still be performed by the deputies at each housing location.<sup>8</sup> In short, JIMS does not work as intended. Because it is impossible to centralize all housing decisions in a system as large as the Los Angeles County jail without effective use of information technology, CHU's progress is limited by the County's aging network.

As we understand the problem, the only solution is to replace AJIS. This is not a simple proposal, as AJIS has grown to be a massive system, and the LASD is not the only County agency that taps into it. As difficult and expensive as it may be to replace AJIS, though, the aging system will not last forever. The County should accept this inevitability and push for its immediate replacement. Until then, CHU will not be able to coordinate security housing designations and housing assignments both within and among all Los Angeles County jail facilities as envisioned.

## **B. Principal Recommendations**

CHU is a new unit, trying to accomplish large-scale change in how the LASD manages and houses inmates. While we remain disappointed with the

<sup>8</sup> The LASD is not unique in having obsolete and unconnected databases. A 1999 study by the National Institute of Corrections found that a majority of state prison systems did not even automate their inmates' classification scores and in many systems, data critical for classification are often still collected and stored manually, providing limited ability to produce useful management reports. See Brennan, Tim, David Wells, and Jack Alexander, *Enhancing Prison Classification Systems: The Emerging Role of Management Information Systems*, July 2004, U.S. Department of Justice, National Institute of Corrections, pp. 2-6.

LASD's procrastination in creating and empowering this unit, once the unit was introduced, we never expected the changes to come easily or quickly. Thus, while we emphasize the need for further progress toward a truly centralized housing unit, we commend CHU and the Department for taking the first necessary steps. We set forth below some of the areas in which we see the need for additional progress as well as diligent oversight to ensure the situation does not backslide. On many of these points, we are in agreement with CHU officers who likewise recognize the need for change and who are making plans to implement it.

***1. Modernize or Replace AJIS so JIMS can reach its full potential***

As set forth above, CHU's capacity to coordinate security housing designations and housing assignments both within and among all Los Angeles County jail facilities is limited by the County's AJIS network. The County's willingness to replace AJIS is a critical first step toward the LASD's ability to adopt any of our further recommendations.

***2. Maintain Security Level Housing***

CHU is entrusted with enforcing custody boundaries for various security levels throughout all jail facilities, and, to that end, regularly sweeps available databases to determine whether inmates are incorrectly housed and then fixes these errors. This task would be much easier if it could fully utilize JIMS which, if AJIS was modernized, would automatically alert managers when an inmate is inappropriately housed based on security level. This happens most often upon reclassification of an inmate, or when an inmate is moved for harmony reasons. Currently, these errors are caught only by the diligence of CHU personnel who periodically must manually review housing lists for compliance with the housing plan. With a fully functional JIMS program, CHU staff would be automatically and immediately aware whenever an inmate was incorrectly housed, providing yet another reason why AJIS needs to be quickly updated.

Of course, there may be times when circumstances temporarily require an inmate to be housed outside the boundaries of his security level. JIMS allows for this override, provided it was properly documented, and is capable of tracking all overrides and giving periodic alerts to remind staff to re-assign housing as soon circumstances permit. The ability to track overrides also allows supervisors to ensure that housing staff are not regularly disregarding security classification levels in assigning housing. If AJIS were rewritten and modernized, JIMS could perform these functions.

By stressing the importance of technological advancements to maximize CHU's effectiveness, we do not mean to imply that CHU cannot operate absent a replacement for AJIS and a fully operational JIMS-type system. Indeed, CHU has been instrumental in bringing the jails into compliance with the Department's new security level housing plan, and is performing an important function even with the current limitations.

### ***3. Create a Comprehensive Classification Plan and Operations Manual Governing Classification and Housing Assignments***

CHU needs a written operations manual to clearly define and promulgate the new classification and housing scheme and associated policies and procedures. Of course, the LASD has written policies regarding classification and housing, but they are not functionally organized and easily referenced. In drafting an operations manual, CHU would also have the opportunity to re-evaluate and revise the classification system to eliminate the inconsistency and redundancy created by the current special handle code system. See Chapter 1, Section II.

### ***4. Monitor Critical Statistics by Housing Module to Identify Problem Areas and Devise Early Solutions***

CHU should regularly track critical statistics on, for example, inmate-on-inmate violence, inmate-on-staff assaults, and inmate injuries. As we have

stressed throughout this Report, security of inmates and staff is the top priority in classifying and housing inmates. By monitoring statistical trends in violence and injuries by module or dorm and inmate security level, CHU should be able to identify weaknesses in its housing plan and revise it appropriately.

#### ***5. Assume Sole Authority for Making Specific Housing Assignments***

Ultimately, all decisions regarding inmates' classification and housing should be made by CHU and not by individual jail facilities. CHU staff should have the sole authority to assign inmates to housing units based on the classification system. When inmates come into the jail, CHU staff should provide each inmate with a specific housing assignment, not simply a module or dorm. Thereafter, CHU should be responsible for updating inmates' housing assignments based on the jails' changing needs and any changes in an inmate's security level classification.

This suggestion has encountered resistance from the staff at individual jails with whom we met. The primary concern is that CHU simply cannot handle the volume of moves required for normal jail operations. Hundreds of inmates move into and out of each facility daily, and it is unclear, absent modernizing AJIS, whether CHU can keep up with this level of decision making and data entry. With the proper technological support and sufficient staffing, we have no doubt CHU would be up to the task.

A second concern we heard is that CHU will not be sophisticated enough to sufficiently understand all the intricacies of particular housing locations in order to appropriately make specific housing assignments. For example, at some facilities, certain dorms have developed a particular characteristic. There are "old man" dorms for inmates over 40 years old; school dorms for inmates who regularly attend classes; "non-political" dorms for inmates who have demonstrated a desire to simply serve their time and stay out of fights and other trouble. One view among some facility staff is that CHU will be

incapable of mastering all these distinctions. On the contrary, while the limits of existing technology make this task more challenging, once CHU can make use of available computer programs, it will be in the best position to balance all these concerns, not just by facility, but system-wide.

Staff at individual jails responsible for harmony moves—those housing changes made necessary because certain inmates do not get along for any number of reasons and are likely to become violent—hold strong views about relinquishing control of housing moves to CHU. Currently, deputies staffing individual housing locations can determine when it is necessary to transfer an inmate from one cell or dorm to another and can execute that move without seeking approval. These moves happen frequently—for example, when an inmate is accused of stealing another's toothbrush and has to be removed to avoid a confrontation, or when an inmate chooses not to shower regularly and those around him begin to complain, making him a potential target. Certainly, the deputies working most closely with these inmates are the best source of information for when such harmony moves are advisable. CHU should respect these insights and make itself available to expeditiously follow these deputies' recommendations when proper, but in order to ensure consistency and adequate record keeping, CHU staff should be required to review and approve all moves.

Likewise, in dealing with gang members, CHU should continue to respect the expertise of OSJ deputies who suggest housing moves. Indeed, OSJ perceives the benefits of the centralized authority for housing decisions. Provided CHU is responsive, well-staffed, and can act quickly, it will be in the best position to process OSJ housing recommendations. OSJ will have just one entity with which to coordinate, as opposed to working with individual module deputies. And CHU will be able to identify the best place to house the relocated inmates, based on its knowledge of available housing system-wide.

An additional concern about plenary CHU control over housing is the belief that only deputies working at each individual jail facility can accomplish

racial balancing of inmates. Given the current limitations of JIMS, this may be true. Nevertheless, a hallmark of centralized housing is the responsibility to maintain a proper balance of inmates, system-wide, with respect to race, security level, and other risk factors. When and if JIMS becomes fully operational, CHU will be in a better position than individual facilities' deputies to balance the jails racially and ethnically because CHU will be able to move inmates between and not merely within facilities in order to balance populations. Indeed, many of the concerns about CHU's ability to assume sole authority over housing moves would be alleviated if JIMS was wholly employed and jail staff understood the power of that technology.

One commander shared with us his vision of a fully operational CHU as a central command post where officers can stand behind one giant board and set of computers and know where all the inmates in the system are housed, much like a railroad network operator who knows where every train is at any given time. He acknowledged that there would be mistakes made, but noted, "the person who makes the mistake should be the best, most qualified, person to make it." CHU is staffed with these qualified people. They will develop expertise in jail classification and housing and soon, we hope, will serve as the single centralized authority for all jail facilities.

## *Conclusion*

While most of the unit commanders with whom we met were somewhat skeptical of CHU's ability to handle all of their jail's housing decisions, they also recognized the potential benefits of a centralized unit and pledged their cooperation. Because security and housing are so intertwined, it is not easy for individual facilities to give over control of housing assignments to an outside unit. For its part, CHU needs to be readily accessible and responsive to the needs of individual jails, respecting their expertise. From what limited activity we have seen thus far, CHU seems to be integrating well into the County jail system.

As we said in our conclusion to Chapter One, we agree with CHU leaders on many issues, and we look forward to evaluating them as they take on even more responsibility. To summarize, we make the following recommendations:

- Replace AJIS. CHU's progress is dependent on the effective use of information technology, and this aging system currently prevents the unit from fully utilizing available programs to coordinate security housing designations and housing assignments both within and among all Los Angeles County jail facilities.
- Maintain the newly implemented housing plan to house inmates according to their security levels.
- Develop a comprehensive classification plan and operations manual governing classification and housing assignments.
- Monitor critical statistics by housing module so that CHU can identify problem areas and devise early solutions.
- Continue progress toward a truly centralized housing unit in which CHU provides each inmate with a specific housing assignment. CHU should have the sole authority to make initial housing assignments and to review and approve all housing moves. Ultimately, CHU staff should have the responsibility of maintaining a proper balance of inmates, system-wide, with respect to race, ethnicity, security level, and other risk factors.

## *Introduction*

We are pleased to report that in 2005, accidental discharges fell from 1996's all-time high of 26 to an all-time low of two. Also positive, as set forth in Table B, was a drop in the total number of hit and non-hit volitional shooting incidents, from a recent high of 57 in 2004 to 49 last year.<sup>1</sup> This is the first time hit and non-hit shooting incidents have fallen in five years. Of these, hit shootings dropped from a recent high of 37 in 2004 to 28. These plusses are tempered by the fact that the number of volitional shootings for 2005 (both hit and non-hit) are still higher than in any year since 2000 (with the exception of 2004), and that the 2006 numbers to date, when annualized, suggest that 2005's downward trend in total hit and non-hit shootings will be reversed.

Recent statistics regarding the LASD's use of force also paint a mixed picture. On one hand, a smaller percentage of all arrests in 2005 involved force than in previous years. On the other hand, whereas in 2000 less than half of all force incidents involved significant force, that number has been consistently above 50 percent since. In 2005, the percentage of force incidents involving significant force reached 57 percent, the highest proportion since we began reporting on these issues in 1998 and 1999. Also climbing is the frequency with which LASD uses of force cause visible and verifiable injuries.

We are not saying that the LASD has become brutal or less restrained with regard to use of force. In fact, the whole number of force incidents

<sup>1</sup> According to Internal Affairs, the all-time high was reached in 1995 with 60 hit or non-hit volitional shootings.



For the purposes of CARS, “Significant Force” is a defined term within the LASD which contrasts to “Less than Significant Force.” Significant Force is “a force event containing one or more individual uses of significant force.... [S]ignificant Force falls into four categories:

- Significant force suspect hospitalized or dies
- Significant force suspect has a visible or verifiable injury
- Significant force suspect makes complaint of pain
- Significant force other [no complaint of pain] (i.e., force in which there is no suspect injury or complaint of pain, but is significant by virtue of the degree of force or the manner in which it was applied, e.g. deploying a sting ball where no one is hit or injured.)”

“Less than Significant Force” is a “force event containing no individual uses of significant force. For the purposes of management information in the CARS report, less-than-significant force falls into two categories:

- Less than significant force O.C. Spray (force in which O.C. spray was applied by at least one deputy, but no significant force was used by any deputy.)
- Less than significant force other (force in which the only force used by any personnel was non-injurious control holds.)”

LASD Guide to Management Information (March 2000).

resulting in hospitalization or death has fallen from a high of 19 in 2000 to 11 last year. We are, however, calling attention to significant force issues that, if left alone, may have costly consequences to the County in terms of litigation exposure and to the LASD in terms of reputation and public image.

Though LASD personnel have gone out of their way to assist us with this report, getting reliable data for this Chapter has been an exercise in hair-pulling frustration. Through a simple audit, we found that LASD use of force data have consistently been at odds with the Department’s official arrest data. The most obvious case occurred in 2005, where double counting added 6,000 arrests and an undetermined number of erroneous use of force incidents to the CARS database. Department staff were quick to point out that CARS data is generally unreliable, and that the system is prone to data entry errors. Knowledge of

these inconsistencies and anomalies is widespread in the LASD, making it even more striking that nothing has been done about it, especially since these numbers form the basis for management of the risk of excessive force.<sup>2</sup>

## *I. Inaccurate Data*

Managing the risk of excessive force in a complex organization like the LASD requires accurate, objective facts to inform sound decisions. Trustworthy data serve as the cornerstone of wise policy decisions. Untrustworthy data, on the other hand, paint a false picture of real events and can lead an organization to make bad decisions. The unreliable data we discovered relate to arrests and force incidents recorded through the Command Accountability Reporting System (CARS).

CARS collects and synthesizes information regarding LASD use of force. One important statistic generated from this data is the total force per 100 arrests ratio, which permits one to compare changes over time and among force categories. In 1997, we described this system as a significant advance in the LASD's thinking about management of risk and potential liability. Our approbation was tempered by worries about data integrity and input problems stemming from its decentralization.<sup>3</sup> Nine years later, those worries have not been put to rest.

We compared the CARS count of arrests to the numbers of arrests published in the Department's annual report, *Crime and Statistics*. As the tables below demonstrate, the numbers never match, and the CARS data show a lower number of arrests than those published in official LASD documents, ranging from 740 fewer arrests in 2005 to 4,547 in 2001.<sup>4</sup>

<sup>2</sup> We are not suggesting that the LASD deliberately manipulated the numbers. At worst, the Department is careless or nonchalant regarding the accuracy of arrest numbers.

<sup>3</sup> See **Seventh Semiannual Report**, April 1997.

<sup>4</sup> CARS data for 2005 shown here are the corrected numbers provided by MIS in July 2006 after we pointed out the discrepancies. We use the corrected data throughout this Report although, as described below, even the accuracy of the corrected numbers cannot be guaranteed.

Table 3.1 **CARS and Crime and Statistics Comparison**

<b>Year</b>	<b>CARS data:</b>	<b><i>Crime and Statistics</i> Data</b>	<b>Difference (CARS–C&amp;S)</b>
2000	96,667	97,503	-836
2001	94,805	99,352	-4,547
2002	92,269	95,339	-3,070
2003	94,128	95,338	-1,210
2004	98,253	101,803	-3,550
2005 <sup>5</sup>	106,839	107,579	-740

The whole number of arrests made by LASD should be static, and any discrepancy between the two systems is evidence of serious questions regarding data integrity.

We discussed these discrepancies with several knowledgeable LASD officers in our search for an explanation. One explanation is that the two sets of data cannot be compared because they are from two different sources; it is, they argue, like comparing apples to oranges. The numbers published in *Crime and Statistics* are only available on an annual basis and are the official crime and arrest data for the Department. The CARS data are a monthly source of information that indicate trends and patterns. A second explanation is that they can be compared, but *Crime and Statistics* numbers will always be greater than CARS because *Crime and Statistics* includes arrests made outside of the geographic boundaries of the LASD’s jurisdiction, while CARS does not. A third explanation is that one or both sets of numbers are incorrect.

The first two explanations are unsatisfactory. While comparisons may be difficult, this is not a case of apples and oranges. In any given year, there is only one whole number of arrests made by LASD, and it is disconcerting to see that the LASD data collecting instruments do not capture this reality.

As for the second explanation, it is reasonable to expect *Crime and Statistics* to report a higher number than CARS. Nonetheless, we find it unlikely that the number of out of jurisdiction arrests ranged as widely and wildly as they appear in our comparison. The most reasonable explanation is that something is generating bad data, and our investigation showed that the bulk of the problem can be traced to CARS.

In our first comparison of whole numbers of arrests, the CARS data suggested that in 2005 there were 5,000 more arrests made than those reported in *Crime and Statistics*. When we pointed this out to Management Information Services (MIS), they promptly investigated the matter and found that a specialized team working various stations inadvertently double counted. In fact, MIS found that the CARS data were off by nearly 6,000 arrests, which had consequences for other data used in monitoring LASD uses of force. MIS then provided us corrected numbers, though they are still 740 arrests short of the official *Crime and Statistics* number.

CARS arrest data are combined with use of force numbers to calculate the total force per 100 arrests ratio, as well as the various subcategories of significant and less significant force. This number is then compared across years to monitor changes in the degree of force incidents. In this instance, the number of arrests was inflated by 6,000 and thereby led to a total force per 100 arrests ratio that was less than the true figure.<sup>5</sup> In the end, Department management, policymakers, and the public were provided with a false picture of LASD force that was slightly more positive than reality.<sup>6</sup>

There is widespread recognition in the LASD that CARS is prone to data entry error, and that it suffers from a lack of proper oversight. The shocking part is that the LASD has not corrected these obvious errors. Given the

5 We are not suggesting that the LASD deliberately manipulated the numbers to show inaccurately low force incidents. At worst, the Department was very careless or reckless regarding the accuracy of the numbers they used.

6 In years where the CARS data are significantly less than *Crime and Statistics* the opposite may be the case: an artificially low number of arrests is making a higher force rate and giving the impression that things are worse than they actually are.

LASD's own questions regarding the validity of data it provides, we ventured into an analysis of LASD use of force with caution. Because the bad data stem from chronic systemic problems, we suspect that inaccuracy is not limited to the data concerning 2005. The other whole numbers and ratios provided through CARS are generally corrupted, and we thus have the following recommendations for the Department:

- The LASD should oversee the collection of numbers and double check their accuracy. The LASD should assure the validity of CARS data before it leaves the station or immediately after it is sent to MIS. The current policies and practices are known to be flawed, and should be corrected.
- The LASD use of force data that has been generated through CARS should be audited and corrected as necessary. What once appeared to be a rich source of good data is now in doubt, and an audit is necessary to restore confidence in CARS.
- The LASD should take this opportunity to evaluate the policies and procedures which ensure data integrity throughout the Department. The systems guaranteeing the reliability and validity of the official data cited in the annual *Crime and Statistics* report deserve attention. The Facilities Automated Statistical Tracking (FAST) system, which gathers data on custody facilities, should also be evaluated, as should any other data system assessing and addressing issues that affect the Department's risk and liability.

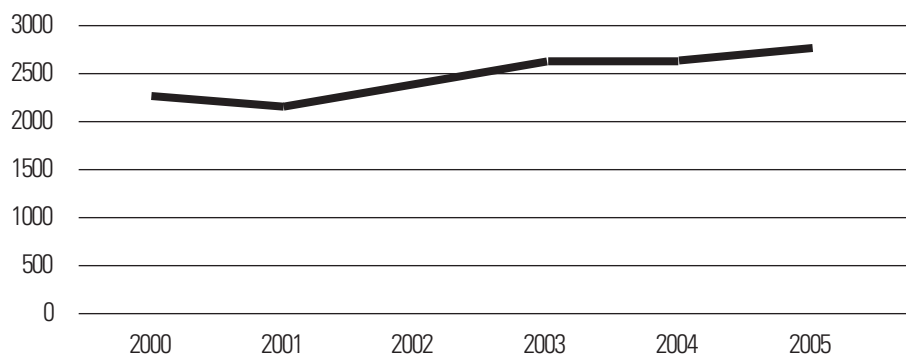
## *II. Changes in Force Incidents*

In the past years, LASD force incidents and arrests have both climbed to new heights. Force incidents rose from 2,233 in 2000 to 2,772 in 2005, and arrests leaped from 97,503 to 107,579 for the same years.<sup>7</sup>

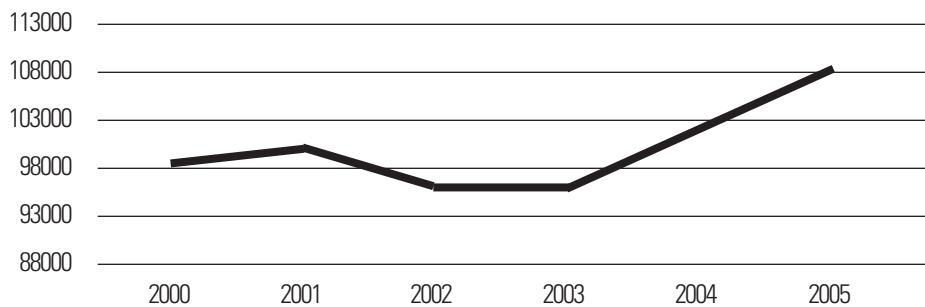
<sup>7</sup> These arrest numbers are from annual LASD *Crime and Statistics* reports, which include arrests made by the Department outside of its jurisdiction. All other numbers were calculated utilizing LASD Force data provided by Management Information Services.

All things being equal, one would expect to see the *proportion* of LASD force incidents to remain steady despite the upward trend in arrests. That has not been the case. Total force incidents per 100 arrests climbed to a peak of 2.81 in 2003 and have fallen steadily in the past two years. In 2005,<sup>8</sup> the total force per 100 arrests reported by the LASD Management Information Service was 2.58, the lowest rate in four years.<sup>9</sup>

**Table 3.2 Total Number of Force Incidents**



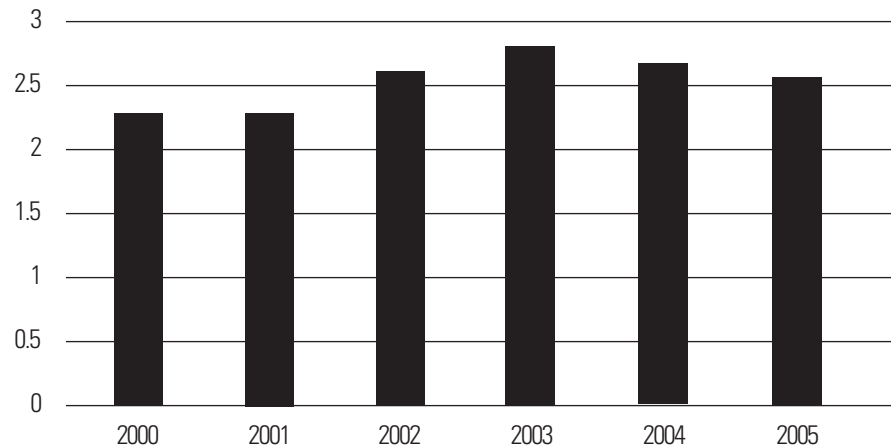
**Table 3.3 Total Number of Arrests**



<sup>8</sup> The force incident data for 2005 were recalculated by MIS in August 2006. The new numbers are used in this analysis.

<sup>9</sup> The ratio for the first half of 2006 is 2.50.

**Table 3.4 LASD Total Force/100 Arrests**

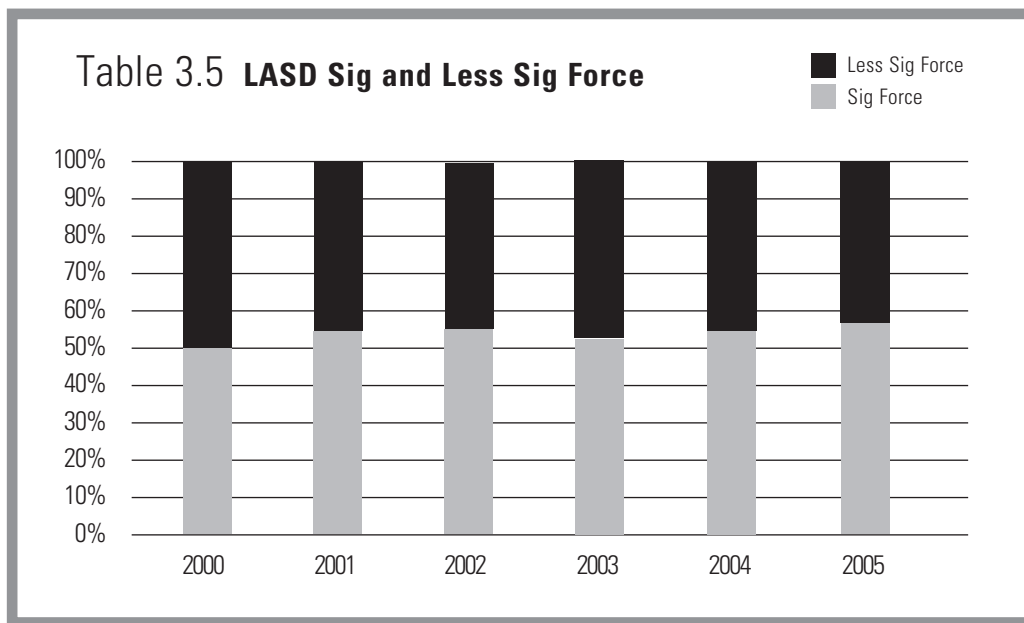


On the surface, this appears to be good news. While the Department is making more arrests, proportionately fewer of these arrests involve the use of force. If so, the twin risks of injuring citizens and incurring the costs of alleged misuse of force lawsuits should be lessening. According to the LASD's Risk Management Bureau, the latter have cost the County over \$17 million in the past five years alone.

The bad news is that the nature of LASD force incidents has taken a turn for the worse. Table 3.5 shows changes in significant and less significant force as percentages of all force instances during the past six years. There are increases in the real number of force incidents and the Department's use of significant force. Also climbing is the frequency with which LASD uses of force cause visible and verifiable injuries.

As described in the textbox on page 54, CARS divides significant force into four categories. In order of most serious to least serious these are:

- Hospitalization or Death
- Visible and Verifiable Injury



- Complaint of Pain
- No complaint of pain (a category the LASD sometimes reports as “other.”)

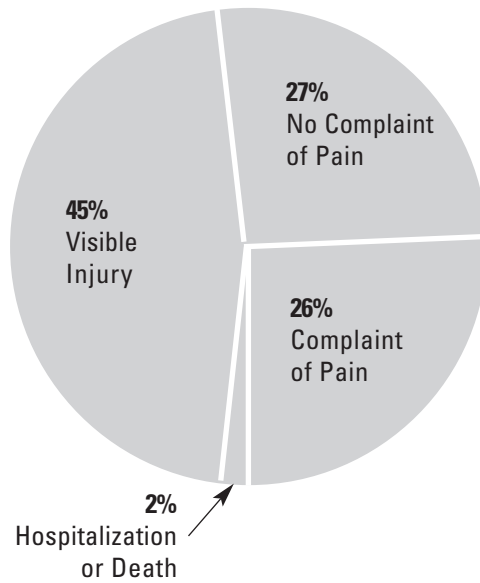
The distribution of these categories in 2000 and 2005 are presented in the figures below. In both instances, the greatest proportion of significant force incidents is visible injury, and the least is hospitalization or death.

On a positive note, since 2000, the percentage of all significant force incidents resulting in hospitalization or death has dropped by more than half. Though this is a small decrease (1.3 percent of the total), the seriousness of these cases makes any decline welcome. On the other hand, the least serious significant force category, “no complaint of pain,” has shrunk by nearly 10 percent, and the difference is seen in the increases in the percentage of significant force incidents which result in complaint of pain or visible injuries. Second, the “visible injury” category has seen the largest growth, and for the past two years has made up over half of all significant force incidents.

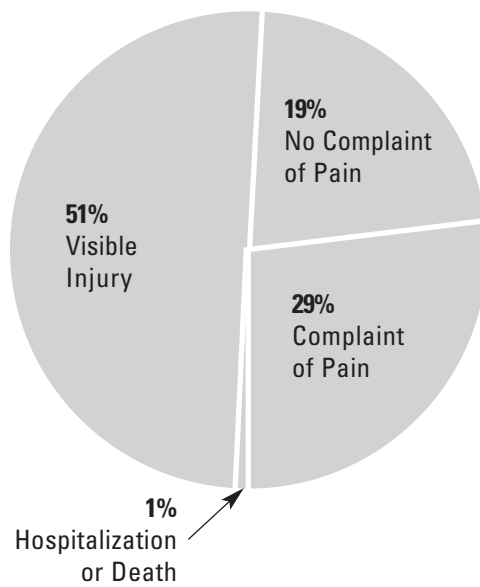
The whole numbers extrapolated from the CARS ratios paint a consistent picture. In 2000, there were 300 incidents in the least serious significant force



**Table 3.6 Significant Force Incidents 2000**



**Table 3.7 Significant Force Incidents 2005**



category, “no complaint of pain,” and 301 in 2005. Moving up the scale, we found that “complaint of pain” instances rose from 290 to 462; “visible injury” from 503 to 817. The only drop was in “hospitalization or death,” falling from 19 to 11. With the data available for 2006, these trends appear to be continuing, which means that increases in the number of significant force incidents resulting in visible and verifiable injury expose the LASD to heightened risks of potential liability.

In earlier *Semiannual Reports*, when we have called attention to increases in force incidents, we focused on the use of force ratios, particularly on total force per 100 arrests. We have come to recognize that although this ratio can demonstrate some changes over time, it is too general, and reliance upon it alone will mask more serious trends, if present. Here, for example, we observed that the recent and welcome drop in total force per 100 arrests occurred at the same time that the whole number of significant force incidents have not only increased, but also intensified in their potential to inflict bodily harm and incur very real costs to the Department.

In sum, we have the following recommendations:

- The LASD should analyze the rising number of significant force incidents resulting in visible injuries or complaints of pain. Any investigation into this trend should begin with a reliable data set. The Department should then identify the causes for these upward trends and determine whether they are within the Department’s control and therefore capable of being managed downward.
- The Department should routinely use a more sophisticated set of measurements to analyze trends in use of force by looking at whole numbers as well as percentages.
- The LASD should examine policies and procedures that may have been driven by the inaccurate and inconsistent CARS numbers.

### *III. Accidental Discharges*

In 2005, the LASD experienced only two accidental discharges, a significant drop from an all-time high in 1996 of 26, we are pleased to report. We commend the Department's good work.

Working with firearms is an inherently dangerous business. Tactical mistakes, equipment malfunctions, natural reflexes, and human error can lead to accidental discharges-and potentially tragic consequences. The LASD defines an accidental discharge as "an event in which a single deputy discharges a round accidentally, including incidents in which someone is hit by the round." These incidents alone have accounted for 13 percent (116) of all LASD shootings in the past 10 years, including off-duty incidents. On average, this amounts to 11.6 accidental discharge incidents per annum.

Before diving more deeply into the topic of accidental discharges, it is important to understand where these numbers fit in the big picture. Table 3.8 illustrates the distribution of LASD shooting incidents in the past decade. By far the largest category is animal shootings, followed by hit and non-hit shooting incidents and accidental discharges. The smallest category, entitled "other," includes both tactical shootings and warning shots. Out of these categories, accidental discharges are perhaps most preventable, and with proper management, the recent downward trend should continue.

Out of the past 10 years, 1996 experienced the most accidental discharges, with a total of 26 accidental discharge incidents and accidental discharges. The large number of accidental discharges also helped make it the year with the highest total number of shootings in the past decade. It is difficult to ascertain exactly why the shooting numbers were so high in that particular year, but anecdotal evidence suggests that it may have been related to then-outdated training which encouraged deputies to keep a finger on the trigger when their service weapon was drawn. Although this training changed completely in the early 1990's to encourage keeping a finger *off* the trigger and

outside the trigger guard, the change in philosophy did not immediately influence practice.

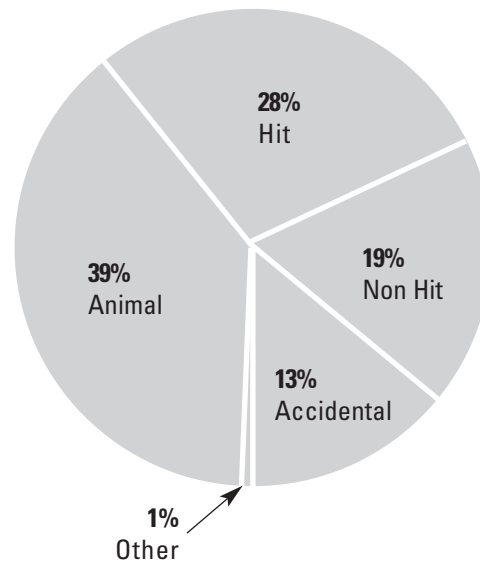
When the new training took hold, things improved dramatically. By 1999, the total number of shootings and accidental discharges fell to new lows;

71 and four, respectively. Although the number of shooting incidents and accidental discharges grew in subsequent years, they remained far below the numbers seen earlier in the decade. In fact, for the past three years accidental discharge incidents have fallen at a steady rate, from 14

percent of all shootings in 2003 to 2.3 percent of all shooting incidents in 2005. In whole numbers, there were 14 accidental discharge incidents in 2003 and only two last year. This is a very positive change, and all the more remarkable considering the number of armed deputies deployed by the Department.

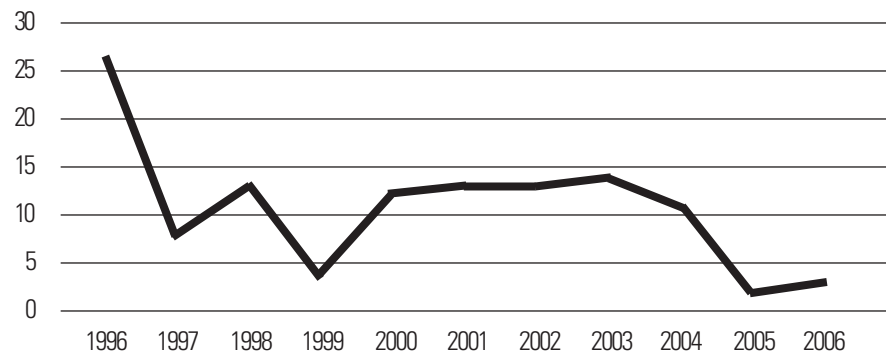
Although hard evidence is lacking, a major variable influencing this downward trend may have come from the Training Bureau's Field Operations Training Unit and its Continuing Professional Training (CPT) program.<sup>10</sup> A full third of the CPT is dedicated to firearms training. Officers start with a warm-up drill where they internalize the basic principles of firearm safety, participate in loading exercises, and slow-fire shooting drills. By bringing the

**Table 3.8 Shooting Incidents 1996-2005**



<sup>10</sup> For more details concerning CPT, see our **Twenty-First Semiannual Report**, March 2006.

**Table 3.9 Number of LASD Accidental Shooting Incidents**



officers back to the basics, the training seeks to reduce operator error by reinforcing common-sense principles about handling lethal weaponry. From this stage, the CPT introduces more challenging environments that mirror the actual conditions in the field, including elevated stress levels. Trainers emphasize accuracy, fire control, and keeping the finger off the trigger—until one is ready to shoot. This intensive regimen endeavors to reduce the number of accidental discharges caused by factors outside of the operator’s control, such as involuntary contractions of the gun-hand’s fingers.

In the first six months of 2006 there have already been three accidental discharge incidents. Though not particularly high, these cases should be treated with a level of seriousness befitting any incident with the potential for inflicting grave bodily injury or death. For the safety of its deputies and the public, the Department should work earnestly to keep the number of accidental discharges at a minimum. In reaching that goal, we have the following recommendations:

- The Department should conduct an analysis of accidental discharge incidents in order to ascertain what factors have contributed to the drop from 1996. Although anecdotal evidence points to a change in practice and increased

training, there may have been other important variables that will only come to light through a broader examination of accidental discharge case files. The Department should also identify what factors led to the record low number of accidental discharge incidents in 2005. An evaluation should assess the degree to which trainings (such as the CPT) have contributed to this positive trend.

- We encourage the Department to utilize this information to make better training modules—and to ensure that deputies have access to it. As we highlighted in our **Twenty-First Semiannual Report**, despite the existence of excellent trainers and comprehensive modules, the Department has much to do to ensure that its forces have access to these resources. Failure to act on a positive trend will most certainly translate into increases in preventable shooting incidents. To repeat ourselves: The Department should guarantee every deputy 24 hours of firearms training each year.



## Shooting and Use of Force Tables

Table A **Total LASD Shootings**

	2001			2002			2003		
	On Duty	Off Duty	Total	On Duty	Off Duty	Total	On Duty	Off Duty	Total
Hit <sup>1</sup>	19	0	19	22	0	22	24	1	25
Non-Hit <sup>2</sup>	11	3	14	16	0	16	20	1	21
Accidental Discharge <sup>3</sup>	9	4	13	12	1	13	12	2	14
Animal <sup>4</sup>	33	1	34	35	5	40	35	3	38
Warning Shots <sup>5</sup>	0	0	0	0	0	0	0	0	0
Tactical Shooting <sup>6</sup>	0	0	0	1	0	1	0	0	0
<b>Total</b>	<b>72</b>	<b>8</b>	<b>80</b>	<b>86</b>	<b>6</b>	<b>92</b>	<b>91</b>	<b>7</b>	<b>98</b>

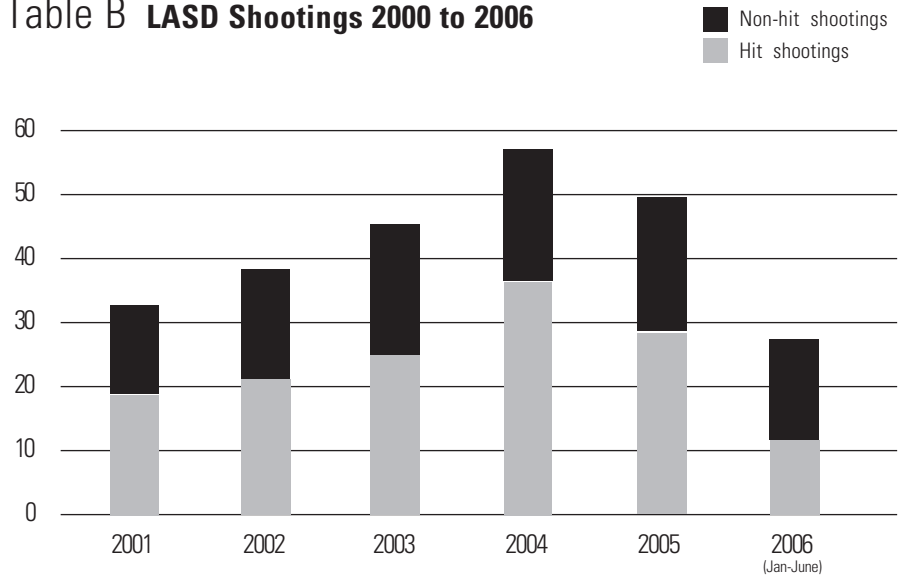
	2004			2005			2006 (Jan-June)		
	On Duty	Off Duty	Total	On Duty	Off Duty	Total	On Duty	Off Duty	Total
Hit <sup>1</sup>	36	1	37	28	0	28	14	0	14
Non-Hit <sup>2</sup>	19	1	20	18	3	21	11	1	12
Accidental Discharge <sup>3</sup>	8	3	11	2	0	2	2	1	3
Animal <sup>4</sup>	28	1	29	34	0	34	14	0	14
Warning Shots <sup>5</sup>	1	0	1	1	0	1	0	0	0
Tactical Shooting <sup>6</sup>	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>92</b>	<b>6</b>	<b>98</b>	<b>83</b>	<b>3</b>	<b>86</b>	<b>41</b>	<b>2</b>	<b>43</b>

- 1 **Hit Shooting Incident:** An event consisting of one instance or related instances of shots (excluding stunbags) fired by a deputy(s) in which one or more deputies intentionally fire at and hit one or more people (including bystanders).
- 2 **Non-Hit Shooting Incident:** An event consisting of one instance or related instances of shots (excluding stunbags) fired by a deputy(s) in which one or more deputies intentionally fire at a person(s), but hit no one.
- 3 **Accidental Discharge Incident:** An event in which a single deputy discharges a round accidentally, including instances in which someone is hit by the round. Note: If two deputies accidentally discharge rounds, each is considered a separate accidental discharge incident.
- 4 **Animal Shooting Incident:** An event in which a deputy(s) intentionally fires at an animal to protect himself/herself or the public or for humanitarian reasons, including instances in which a person is hit by the round.
- 5 **Warning Shot Incident:** An event consisting of an instance of a deputy(s) intentionally firing a warning shot(s), including instances in which someone is hit by the round. Note: If a deputy fires a warning shot and then decides to fire at a person, the incident is classified as either a hit or non-hit shooting incident.
- 6 **Tactical Shooting:** An event consisting of an instance or related instances of a deputy(s) intentionally firing a firearm but not at a person, excluding warning shots (e.g., car tire, street light, etc.). Note: If a deputy fires at an object and then decides to fire at a person, the incident is classified as either a hit or non-hit shooting incident.

Source: Internal Affairs Bureau



Table B **LASD Shootings 2000 to 2006**



Source: Internal Affairs Bureau

**Table C LASD Hit Shootings by Unit**

	2001	2002	2003	2004	2005	2006 (Jan-June)
<b>Number Of Incidents</b>	<b>19</b>	<b>22</b>	<b>25</b>	<b>37</b>	<b>28</b>	<b>15</b>
Altadena Station	0	0	0	0	0	0
Carson Station	1	2	0	1 †	1	1
Century Station	6 *	5	2 **	10 ††	5 †††	2
Community Colleges Bureau	NA	NA	NA	NA	1	0
Compton Station	NA	0	6 ***	6 ††	2	4
Court Services Bureau	NA	0	0	0	0	0
Crescenta Valley Station	NA	NA	NA	0	0	0
East Los Angeles Station	0	0	0	0	2	1
Industry Station	1	1	1	1	1	1
Lakewood Station	2	1	1	4	1	1
Lancaster Station	0	1	0	1	1	0
Lennox Station	4	2	0	6	1	1
Lost Hills/Malibu	0	0	1	0	0	0
Major Crimes Bureau	0	0	2	0	0	0
Marina Del Rey Station	NA	NA	NA	1	0	0
Men's Central Jail	NA	NA	1 ****	0	0	0
Mira Loma Facility	NA	0	0	0	0	0
Miscellaneous Units	NA	0	0	0	0	0
Narcotics Bureau	0	0	1 *****	0	0	0
Norwalk Station	1 *	1	1	2	0	1
Operations Bureau	NA	NA	NA	1 ††	0	0
Palmdale Station	0	3	0	0	2	1
Pico Rivera	0	1	1	1	1	1
Safe Streets Bureau	NA	1	4 ***	3 ††	3	0
San Dimas	0	1	0	0	0	0
Santa Clarita Valley Station	0	0	0	2	1	0
Special Enforcement Bureau	3 *	0	3	0	2 ††††	1
Temple Station	1	1	1	0	2	0
Transit Services Bureau	0	0	1 ***	1	1 †††††	0
Walnut Station	1	0	0	0	0	0
West Hollywood Station	NA	0	0	0	1	0
Number of Suspects Wounded	8 *	11	12	12	16	10
Number of Suspects Killed	12	11	16	27	12	5

\* One shooting (2-18-01), involved three units (Century, Norwalk and SEB). Two suspects were wounded.

\*\* In the Century Station shooting (5-1-03), one suspect was killed and one suspect was wounded.

\*\*\* One shooting (7/8/03) involved three units (Safe Streets Bureau, Compton Station, and Transit Services Bureau).

\*\*\*\* The Men's Central Jail shooting occurred off duty, away from the facility.

\*\*\*\*\* In the Narcotics Bureau shooting (11/11/03), two suspects were wounded.

† In the Carson Station shooting (3-31-04), one suspect was killed and one wounded.

†† One shooting (1-5-04) involved four units (Century, Compton, Safe Streets Bureau and Operations) and resulted in the deaths of two suspects.

††† In the Century Station shooting (5/29/05), one suspect was killed and one bystander was wounded.

†††† Both shootings occurred while assisting outside agencies (2/8/05 Downey Police Department; 6/7/05 California Highway Patrol).

††††† In the TSB shooting (3/24/05), one suspect was wounded and one deputy was wounded.

Source: Internal Affairs Bureau

**Table D LASD Non-Hit Shootings by Unit**

	2001	2002	2003	2004	2005	2006 (Jan-June)
<b>Number Of Incidents</b>	<b>14</b>	<b>16</b>	<b>21</b>	<b>20</b>	<b>21</b>	<b>12</b>
Carson Station	0	1	0	1**	1	0
Century Station	6	3	4	5**	3	2
<i>(1 off duty)</i>						
Century/Compton Transit Services	1	0	0	0	0	0
Cerritos	NA	1	0	0	0	0
Community Oriented Policing	NA	NA	NA	NA	NA	1
Compton	NA	2	4	3	3	2***
Crescenta Valley Station	NA	NA	NA	1	0	0
East Los Angeles Station	1	1	2	0	2	0
Gang Murder Task Force	NA	NA	NA	NA	2	0
Homicide Bureau	NA	NA	NA	NA	1	0
Industry Station	6	2	2	0	1	0
Lakewood Station	0	0	1	0	0	0
Lancaster Station	NA	1	1	1	0	1
Lennox Station	1	1	2	1	2	1
Lost Hills Station	NA	NA	NA	1	1	0
Marina del Rey	1	0	0	0	0	0
Men's Central Jail	1	0	1*	0	0	1*
Narcotics Bureau	0	0	0	0	0	0
Norwalk Station	0	2	1	0	0	0
Palmdale Station	1	0	1	0	0	0
Pico Rivera	0	0	0	0	0	1
Safe Streets Bureau	1	0	1	3	4	2
Santa Clarita Valley Station	0	0	0	1	0	0
Special Enforcement Bureau	1	0	0	1	0	0
Temple Station	0	1	0	0	0	0
Transit Services Bureau	NA	NA	NA	2	1	0
Twin Towers	NA	0	0	1*	0	0
Walnut Station	NA	0	1	0	0	0

\* The Men's Central Jail and Twin Towers shootings occurred off duty, away from the facility.

\*\* One shooting (2-6-04) involved two units (Carson and Century).

\*\*\* One shooting Crime Impact Team based in Compton

<b>Incidents Resulting in Force/Shooting Roll-Out</b>	2001 <b>87</b>	2002 <b>92</b>	2003 <b>89</b>	2004 <b>115</b>	2005 <b>93</b>	2006 <b>46</b>
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Source: Internal Affairs Bureau

**Table E LASD Force**

<b>Department Wide*</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005 **</b>	<b>2006</b> (Jan-June)
Force Incidents (Total)	2399	2645	2643	2772	1338
Total Force/100 Arrests	2.60	2.81	2.69	2.58	2.50
Significant Force:					
Hospitalization/Death/100 Arrests	0.02	0.01	0.01	0.02	0.00
Significant Force:					
Visible Injury/100 Arrests	0.63	0.68	0.78	0.76	0.74
Significant Force:					
Complaint of Pain/100 Arrests	0.37	0.38	0.42	0.43	0.35
Significant Force:					
Other/100 Arrests	0.42	0.40	0.28	0.28	0.22
Less Significant Force Incidents/100 Arrests	1.16	1.34	1.19	1.09	1.19
OC Spray/100 Arrests	0.41	0.46	0.71	0.65	0.69
<b>Field Operation Regions (FOR)</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b> (Jan-June)
Region I Force Incidents	401	406	496	527	247
Per 100 Arrests	1.40	1.40	1.44	1.31	1.27
Region II Force Incidents	568	589	634	638	291
Per 100 Arrests	1.96	2.1	2.35	2.23	2.07
Region III Force Incidents	271	356	354	362	130
Per 100 Arrests	0.96	1.17	1.16	1.19	0.86
FOR Total Force Incidents	1240	1351	1484	1527	707 ***
Per 100 Arrests	1.45	1.55	1.61	1.54	1.39
<b>Field Operation Regions (FOR)</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b> (Jan-June)
Regions I, II & III Significant Force	700	699	782	850	362 ***
Per 100 Arrests	0.82	0.80	0.85	0.86	0.71

\* Includes all patrol stations and specialized units, including custody and court services.

\*\* Corrected August 2006.

\*\*\* Includes Transit Services Bureau.

Source: Management Information Services

Table F **LASD Force/100 Arrests All Patrol Stations**

Station	2001	2002	2003	2004	2005	2006 Jan-June
Altadena	NA	1.87	1.68	1.31	1.89	1.05
Crescenta Valley	1.20	0.53	1.40	1.15	2.03	1.53
East LA	1.04	1.38	1.11	1.14	1.46	1.16
Lancaster	0.92	1.39	1.63	1.54	1.34	1.41
Lost Hills/Malibu	0.86	0.67	1.11	1.21	1.36	1.28
Palmdale	1.79	1.81	1.85	1.37	0.77	1.15
Santa Clarita	1.15	1.42	1.55	1.95	1.96	1.49
Temple	1.52	1.28	0.79	1.39	1.40	1.06
<b>Region I Totals</b>	<b>1.21</b>	<b>1.40</b>	<b>1.40</b>	<b>1.44</b>	<b>1.31</b>	<b>1.27</b>
Avalon	2.00	1.43	2.04	2.49	3.26	8.33
Carson	1.33	1.44	1.56	1.77	1.80	1.72
Century	2.42	2.29	2.16	3.18	1.98	2.21
Community College	NA	NA	7.14	7.03	7.27	21.28
Compton	1.71	2.59	3.04	1.86	1.85	1.92
Lomita	1.50	2.32	0.87	1.17	0.66	0.98
Lennox	1.31	1.41	1.80	1.24	1.89	2.20
Marina del Rey	1.42	2.17	2.12	1.29	1.23	1.04
Transit Services Bureau	NA	1.71	2.06	4.53	1.79	1.58
West Hollywood	2.19	2.29	2.29	2.71	2.41	2.49
<b>Region II Totals</b>	<b>1.87</b>	<b>1.96</b>	<b>2.10</b>	<b>2.35</b>	<b>2.23</b>	<b>2.07</b>
Cerritos	1.20	1.65	1.16	1.73	1.24	1.00
Industry	1.16	0.71	1.06	0.97	0.84	0.85
Lakewood	1.35	1.39	1.61	1.41	1.38	1.08
Norwalk	1.16	0.90	1.20	1.26	1.45	1.01
Pico Rivera	0.97	0.67	0.81	0.95	1.07	0.51
San Dimas	1.17	0.83	1.13	0.62	0.66	0.10
Walnut	0.78	1.03	0.80	0.87	1.15	1.14
<b>Region III Totals</b>	<b>1.21</b>	<b>0.96</b>	<b>1.17</b>	<b>1.16</b>	<b>1.19</b>	<b>0.86</b>

Source: Management Information Services

# Appendix A

CLASSIFICATION NOTICE				
NAME: (last)		(first)		(middle)
JAIL NO:	D.O.B.	RACE:	SEX:	SSN:
Charge(s)	1)	2)	3)	
You have been placed in the following classification:				
<p>This classification is determined by: current/past convictions; current/past institutional behavior; pending charges or holds in other jurisdictions (if any); sentenced or unsentenced; and/or any other information that may be deemed appropriate with regard to your personal security or the security of the facility. NOTE: Your classification can change when: charges are altered or reduced; you are sentenced; due to administrative hearings; due to regular periodic review; and / other reasons recommended by the jail staff.</p> <p>Appeal Process: any inmate dissatisfied with his or her classification must appeal his / her classification, in writing, within ten (10) days of the primary classification or reclassification by addressing his/her appeal as APPEAL OF CLASSIFICATION and directing it to: the Sheriff or his designee.</p>				
Classified by:				Date:
Comments by staff:				

Booking Date: \_\_\_\_\_

**PRIMARY SECURITY LEVEL ASSIGNMENT**

Override \_\_\_\_\_

Override Reason:

**High Risk: (Check)**

☐ Assaultive

☐ Escape

☐ Suicidal

☐ Mental

☐ Gang Member

☐ Other \_\_\_\_\_

**Special Condition: (Check)**

☐ Protective Custody

☐ Medical

☐ Juvenile

☐ Handicap/Disabled

☐ Body Fluid watch

☐ Other \_\_\_\_\_

1 High

2 Close Custody

3 Med. Asl/Esc

4 Med

5 Med Pre-Sent

6 Min

7 Low Min

8 Very Low

Maximum

Medium

Minimum

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## **Explanation of Decision splits for the Primary JICS Classification Instrument**

**Current Offense Assaultive Felony:** - Is the inmate's current charge(s) or conviction(s) one of the offenses listed on the ASSAULTIVE FELONY CRIME list requiring a "YES" response? (This list was provided in the classification training and is automatically searched if using the JICS software.

**Prior Assaultive Felony Convictions:** - Does the inmate have a conviction history of one or more of the assaultive felony type offenses listed on the ASSAULTIVE FELONY CRIME list? While a "yes" - response is required if a history of prior felony assault convictions exists, consideration may be given to the elapsed time of the prior conviction which could be grounds for override consideration after completion of the tree. For example, a prior conviction for felonious assault ten years ago may be given override consideration if the classification officer feels it is warranted.

**Escape History:** - Is there a current charge or prior record of an escape or attempt from a secure correctional facility? Note: If there is a record of a walk-away from a non-secure facility or court ordered program such as a half-way house, work release center, or residential program, answer "no" to this risk split. The circumstances of the "walk-away" should, however, be reviewed on a case-by-case basis. If it is felt that the circumstances surrounding the walk-away presently warrant an escape security concern, use the **override** option documenting your reason for the concern and assign the appropriate security/custody level.

**3 or More Prior Felony Convictions-** - Does the inmate have a record of 3 or more prior felony convictions, not including the current offense(s), in the past **5 years of street time**? Street time is defined as that period of time not spent in a correctional facility. Convictions prior to the past five years of street time, other than those crimes listed on the ASSAULTIVE FELONY CRIME list, should not be included. Juvenile non-assaultive felony type convictions would be included if they fall within the last 5 year street time period.

**Detainer, Warrants or Pending Charges:** - Are there any outstanding warrants, liens, detainees or pending charges (excluding the charges for which the inmate is being booked, except if booked specifically for an outstanding warrant. Note: This may require individual facility policy decisions on seriousness of outstanding charges to justify a higher security level. For example, an outstanding traffic warrant with a limited "pick-up" radius may, by department consensus, not be considered as a "yes" response in the tree. You may also wish to designate probation/parole violation holds which are still pending a disposition decision as a "Yes" response here as well.

**Known Past/Present Institutional Behavior Problem:** - Has or is the inmate observing the rules and regulations of the facility? Is the inmate disrupting the facility, intimidating or threatening fellow inmates or staff? Is the inmate cooperating with the staff and facility routine? Has the inmate received a major misconduct ticket or multiple minor misconduct tickets during this or previous incarcerations?

A **serious** behavior problem is one in which assaultive behavior or serious acts or threats of aggression against staff or other inmates has occurred or contraband endangering the security of the facility e.g. weapons, etc. Jail Administration in conjunction with the classification staff will need to reach consensus on what constitutes an "institutional behavior problem" which, as a result, produces a higher security/



Jail Administration in conjunction with the classification staff will need to reach consensus on what constitutes an "institutional behavior problem" which, as a result, produces a higher security/custody level. Typically, smaller jails have a more conservative definition of the problem than do larger jails. It is important for all jails, however, that the criteria used for making this determination be consistent among all classification staff. We generally recommend any major disciplinary.

**Pre-Sentence or Post Sentence:** - is the inmate pre-sentence or post-sentence status? If the inmate has multiple charges, all charges must be disposed of prior to being considered post sentence. Note- The inmate who is identified as pre-sentence at this juncture in the tree, and consequently classified as medium pre-sentence, will likely be reclassified as minimum security level 6, 7 or 8 upon sentencing.

If post-sentence -

**Current Offense Felony or Misdemeanor:** - Is the most serious current conviction a felony or a misdemeanor? If the most serious offense is a civil offense consider it as a misdemeanor for purposes of the decision split.

**Community Ties:** - Does the inmate have immediate family in the community and/or has the inmate resided in the area for one year or longer and/or has the inmate been steadily employed in the area for six or more of the last twelve months? Note: This decision split is intended to determine the inmate's ties to the community. Each jail will need to determine what constitutes their geographic range definition of "community".

**Overrides:** - If it is determined that circumstances requiring a deviation from the primary decision tree resulting in a security designation that is other than what would routinely occur by following the decision tree, it is designated an **override**. If you find it necessary to override the tree classification complete the tree through the normal procedure then circle override (on the manual form) and note your reason in the designated area. Then assign the custody/security level appropriate for this inmate.

**High Risk:** - Is a red flag identifying an inmate as being a grave threat to themselves (suicidal) or to the staff or fellow inmates (system risk). As a result of a **high risk** designation, a special high visibility or isolation placement may be warranted. If a high risk designation is warranted, circle the high risk box and note the specific reason in the comment section of the instrument. a high risk designation may or may not require an override to the decision tree. If it does require a deviation from the decision tree, complete the tree through normal procedure, note the override and reason and assign the appropriate custody/security level.

**Special Condition:** - Is a flag identifying an inmate as having a need or condition which requires special attention such as a physical or mental handicap, diet restrictions, alcohol or drug withdrawal. If a special condition exists, circle the special condition box and note the reason for the designation. A special condition may or may not require an override to the decision tree. If it does require a deviation from the decision tree, complete the tree through normal procedure, note the override and reason and assign the appropriate custody/security level.





# Appendix B

Inmate No. \_\_\_\_\_ Name: \_\_\_\_\_

## JICS Reclassification Tree

Are Classification Review Circumstances  
Aggravating? or Mitigating?

(circle) Current Classification

Maximum 1
Maximum 2
Maximum 3
Maximum 4
Maximum 5
Maximum 6
Maximum 7
Maximum 8

(circle) Reclassification

1
2
3
4
5
6
7
8

(circle) Current Classification

Maximum 1
Maximum 2
Maximum 3
Maximum 4
Maximum 5
Maximum 6
Maximum 7
Maximum 8

**High Risk Flags**

- ☐ Assaultive
- ☐ Escape
- ☐ Suicidal
- ☐ Mental
- ☐ Gang Member
- ☐ Other \_\_\_\_\_

**Special Condition Flags**

- ☐ Protective Custody
- ☐ Medical
- ☐ Juvenile
- ☐ Handicap/Disabled
- ☐ Body Fluid Watch
- ☐ Other \_\_\_\_\_

Comments: \_\_\_\_\_

Override Reason: \_\_\_\_\_

Override Assignment: (circle) 1 2 3 4 5 6 7 8

Review Officer: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ No Change in Current Classification (check)

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